



# DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION

Published Monthly by DBE Supportive Services

Volume 4, Issue 1

*Promoting the growth of Disadvantaged Business in Montana*

January 2004

## Upcoming Dates

MDT Bid Letting Jan 29, 2004

BLM Workshop, Billings, Feb 11, 2004

GSA Workshop, Billings, Feb 12, 2004

## DBE Logo Contest

We received 38 logo designs for the contest. The judges had a difficult time selecting one logo design among the many high quality entries. Participants—Thank you for your creative logo designs and taking time out of your busy schedule to enter the contest. Thank you to all the judges (Danelle Saffert, Independent Record Newspaper; Josh Turner, DBE Company; Joan Scott, MDT Public Relations; Lisa Durbin, MDT Construction; and Ivan Ulberg, MDT Right of Way). You did a terrific job determining the logo that best depicts the program's image.

The winning logo was designed by Charlie O'Neill. Charlie O'Neill has been doing graphic design work part time for the past three years as a freelance designer and through her work at Lifelink and Mountain High Wood Works in Bozeman, Montana. She received her Associates Degree in Graphic Design from the Wyoming Community College. Charlie believes her art was strongly influenced by her dad, a famous artist, Bill O'Neill. Charlie works hard to identify the organization's image and she loves to design for organizations with a strong cause. With her design for the Montana DBE Program, she was hoping to capture the essence of providing a helping hand to disadvantaged businesses in Montana. Charlie can be contacted at [oneill\\_charlie@yahoo.com](mailto:oneill_charlie@yahoo.com).



Winning DBE Logo

By

Charlie O'Neill



## Activity Report is Due

Quarterly Activity Report for the 4th quarter (October to December 2003) is due in the DBE Supportive Services office by January 31, 2004.

Form is available on the Internet at:

[http://www.mdt.state.mt.us/civilrights/pdf/dbeactivity\\_rpt.pdf](http://www.mdt.state.mt.us/civilrights/pdf/dbeactivity_rpt.pdf)

## Looking for Interested DBE Companies

Do you want help with marketing your business? Could you use a student to work on a project for your company? Two new programs are being developed to provide this type of assistance to DBE companies. Please call Rebecca to learn more and participate.

800-883-5811

## Upcoming Workshops

**How to Contract with Bureau of Land Management (BLM) Workshop**, February 11th, Montana Business Incubator, MSU-Billings, 100 Poly Drive, Billings, 8:00am-5:00pm, \$25.00 per person (lunch included). Fee is non-refundable. Mary Clark, BLM Procurement Analyst, is the speaker. Learn where to find BLM opportunities and how to start contracting with BLM. Learn how to read solicitations and complete the paperwork.

### General Services Administration (GSA)

**Workshop**, February 12th, Montana Business Incubator, MSU-Billings, 100 Poly Drive, Billings, 8:00am-5:00pm, \$25.00 per person (lunch included). Fee is non-refundable. Speaker is Pennie Estrada, Director, GSA Small Business Utilization Center. Learn all you need to know to get your company listed on the GSA schedule.

To register for either workshop, send check payable to Montana Business Incubator to Adam Steadman, Montana PTAC Center, Big Sky Economic Development Authority, 222 North 32nd Street, Billings, MT 59101. For more information, call Rebecca Johnson, MT Dept of Transportation DBE Supportive Services, 800-883-5811 or Adam Steadman at 406-256-6871.

# Montana DBE Company Monthly Update



## Recently DBE Re-Certified Companies—(Annual Eligibility Update is October 31<sup>st</sup> of each year)

Garcia & Associates	John Garcia	San Anselmo, CA
Bionomics Environmental, Inc.	David Aspitarte	Boise, ID
Eclipse Traffic Control & Flagging, Inc.	Jannette L. Jerauld	Kingston, ID
Par Golf Construction	Grant Noonkester	Billings, MT
Able Septic	Joseph Durglo	St. Ignatius, MT
Exeltech Consulting, Inc.	Santosh Kuruvilla	Olympia, WA
G&L Painting	Earl LaRoque	Lincoln, MT
Cole Acoustics	Jamee Cole	Whitefish, MT
Empire Lath & Plaster, Inc.	Sandy Tilzey	Billings, MT
Martinez Corporation	Anthony Martinez	Austin, TX
Three Rivers Construction	Dorothy Reinhard	Alpine, WY

## Two Views of Employee Satisfaction

When The Society for Human Resource Management and USA Today released their *Job Satisfaction Poll* recently, the results reported a difference of opinion between managers and employees on many fronts. Perhaps the most compelling findings, however, concerned the difference between what was actually important to employees and what executives assumed was important to the workers.

### The Top Five "Very Important" Job Components

#### According to employees:

1. Job security
2. Benefits
3. Communications between employee and management
4. Employee flexibility to balance work and life issues
5. Compensation/pay

#### According to management:

1. Communication between employees and management
2. Recognition by management
3. Relationship with immediate supervisor
4. Job security
5. Compensation/pay

## As Read MDT December 18, 2003 Bid Letting Results

Project Title & Number	Prime Bidder	Bid Amount	DBE Dollars	DBE %
NH 1-9(38)573 Oswego East & West	Border States Paving, Inc.	\$9,103,828	\$430,468	4.73%
STPP 51-3(3)60 Sidney - West	Wickens Construction, Inc.	\$7,135,189	\$652,466	9.14%
BR 83-2(11)59 Goat Creek - 20 KM South of Swan Lake	Frontier-West, LLC	\$719,430	\$44,382	6.17%
BR 566-1(5)4 Bridge Creek - 7 KM SW of Ashland	Martin Construction	\$293,932		
STPU 5206(7) NW Bypass Lighting - Gt. Falls	Scott Construction	\$11,637		
CM 5299(46) Traffic Signals - Telemetry- Gt. Falls	Scott Construction	\$44,538		



## TWO STEPPING IN A DIVERSE WORK-PLACE (Part 5 of 5)

### Take a bow



Rebecca Johnson, Civil Rights DBE Supportive Services Manager

Jim Phillips, Civil Rights Compliance Specialist

**There are many other pitfalls to watch out for when you are managing a diverse workforce. In general, keep your wits about you and try to be sensitive to employee needs. If you are not sure, ask the Civil Rights Bureau or Human Resources.**

### New Resource Materials Available to You

A guide to **Employee Recruitment** and/or a guide to **Human Resource Systems and Forms** can be yours by contacting Rebecca at DBE Supportive Services.

The Employee Recruitment Guide was developed by Dave Laber, PHR, and Bob Thornton, Helena Job Service Workforce Center. The other bulletin was compiled over the past four years by Greg and Karen Chadwick of Chadwick Landscape and

Nursery and published by Dave Laber.

## What Every Construction Employer Needs to Know, December 16, 2003, Helena, MT, Jim Nys, Personnel Plus! Inc.

Workshop summarized by Rebecca Johnson.

Jim Nys provided the participants with an abundance of information regarding employer issues. Here is a very brief synopsis of some of that information.

- Different employees can be classified as at-will, contract, or joint, and non-employees could be classified as independent contractor, or statutory non-employee.
- How to deal with Conflicting Employment Laws – determine if your organization is in fact covered by both federal and state laws. Federal laws often apply to larger organizations. If covered by both laws, determine if law is permissive or mandatory. Employers are prohibited from discriminating against protected classes, which are Race/Ethnicity; Color; Religion; National Origin; and Sex.
- Make sure to keep all your decisions “job-related” when dealing with employee issues. Stress requirements of job. You cannot ask applicant about a workers’ compensation claim or a person’s disability. For 780 generic job descriptions, go to <http://online.onetcenter.org/>
- Montana law is more restrictive in protecting individual’s rights. Polygraph/Drug and Alcohol Testing is not allowed for all employers.
- At least half of poor performance is due to unclear expectations or deficient procedures/tools provided by the employer. Montana Wrongful Discharge Act – creates three causes of action: 1. Terminating a non-probationary employee without “good cause” (probation is six months long unless otherwise stated by the employer). 2. Terminating in violation of employer’s written personnel policies; and 3. Terminating an employee who refuses to violate public policy. Maximum penalty is pay up to 4 years of pay and benefits minus the current wage earned.
- The Seven Day Rule – If an employer has a complaint resolution procedure and provides it to the employee within seven days of discharge, the employee must initiate and exhaust the procedure. If the employee does not use grievance procedure, employee’s right to go to court is waived. If employer doesn’t give the employee notice of the procedure and provide a copy, the employee is free to proceed to Court. Civil Right actions do not require exhausting employer procedures before proceeding with suit.
- Montana “Service Letter” Law – If requested, employer must provide written reason for termination. Employee is to be warned that letter might be used in litigation.
- If you are considering termination or investigation of employee misconduct, you may want to bring in an impartial individual to help with the process. A rule of thumb – it will cost the employer approximately 1.5 years of salary for a non-professional job to replace someone, in terms of training and recruiting costs.
- An employer cannot hold a employee’s wage check to get back property such as keys, tools, etc. You cannot put non-competition clauses for employees in your personnel policies. This pertains only to owners.



## **Personnel Policies (Part 1 of 2)**

While most employers recognize the value of having a set of personnel policies to guide their day-to-day employment decisions, many do not have the time or the expertise to develop such a set of policies from scratch. As a result, many employers are tempted to utilize another company's personnel policies as a model or to utilize newly available software to develop personnel policies.

As a human resource consultant, I have always recommended against either of these approaches. My recommendation is based on the fact that employment rules vary widely according to a number of factors that are discussed in this article. Additionally, the policies must be written to reflect the organizational culture and managerial style. It does no good to adopt well-written policies if the organization is not likely to implement or follow the policies in their day-to-day decision making.

Employers who are interested in writing personnel policies must first identify the rules that they are subject to and then write or modify their own policies accordingly. Given the complexity of employment law and the fact that federal and state laws often mandate different standards, this can be time consuming and difficult.

### **State Law Differences**

The greatest variation in how personnel policies are written comes from the differing requirements of each state (and sometimes local) government. While federal law is the same across the country, state requirements can modify or add significant additional responsibilities and/or employee protections the employer must observe. For example, the federal Age Discrimination in Employment Act prohibits discrimination against applicants for employment or employees who are age forty or more. In contrast, Montana's Human Rights Act prohibits age-based discrimination against individuals regardless of their age- i.e., the state law protects all age groups equally. As a result, a personnel policy that might prohibit a supervisor from utilizing a twenty-two year old employee in a job requiring operation of a motor vehicle would not violate federal law but may violate the stricter Montana law. If the employer operated in different jurisdictions, say Montana and Wyoming, there could be one set of rules under federal law that constitute a minimum standard and a different set of rules in Montana and yet a third set in Wyoming.

### **Montana Employment Laws**

A few of the ways in which Montana employment laws differ from federal requirements are listed below:

1. Montana's Human Rights Act applies to all employers not just larger employers.
2. Federal law allows (but does not mandate) employers to use polygraph tests under certain circumstances. Montana law prohibits the use of polygraphs under any circumstances. Because Montana has a standard more restrictive than federal law and it provides a greater protection to the employee than does federal law, the Montana law is deemed to supercede the more lenient federal rule.
3. Montana has the nation's only law on the subject of wrongful discharge. The 1987 enactment of the Montana Wrongful Discharge from Employment Act things repealed the concept of "at-will employment" in Montana that is used commonly by employers elsewhere.
4. Montana has standards on the timeliness and manner of payment of wages that are stricter than many other states. Montana prohibits mandatory direct deposit of wages and has strict and rather short time lines for payment of wages to employees who are terminated by the employer.
5. Montana limits or prohibits the use of drug and alcohol test that employers may wish to administer to a short list of safety-sensitive or fiduciary positions. No other employees may be subjected to the testing requirements.

These are some of the many provisions which will require that policies be written differently if your company operates in whole or in part in the state of Montana.

### **Industry Requirements**

The industry in which the employer operates can also result in different rules being applied. For example, employers who are in the trucking industry are subject to the Motor Carriers Act with regard to overtime standards and not to the Fair Labor Standards Act as our most other employers.

### **Number of Employees**

Many federal employment laws are triggered only when an employer has a minimum number of employees. The Family and Medical Leave Act requires a minimum of fifty employees before an employer is covered. Title VII of the Civil Rights Act covers only those employers who employ fifteen or more employees. The requirement to offer continuation of health insurance benefits (COBRA) applies at 20 employees. In Montana, our state Human Rights Act applies to all employers with one or more employees, Wyoming's law to employers with two or more.

*This article is prepared by Jim Nys, Personnel Plus! Consulting Services, Inc., 910 E. Lyndale, Helena. It may be reproduced without advance permission as long as it is unedited, contains the name and address of the author and a copy is furnished to the author upon publication.*



# January Business Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				<b>1</b>	<b>2</b>	<b>3</b>
<b>4</b>	<b>5</b>	<b>6</b> >Access Intro Helena >Blueprint for your Business Success Kalispell >Creative Leadership Crash Course Missoula >Evaluating a Business Idea Msla	<b>7</b> >Access Intro Helena >Beginning Word Helena >Creative Leadership Crash Course Helena	<b>8</b> >Beginning Word Helena >Creative Leadership Crash Course Bozeman >Windows Intro Helena	<b>9</b> >Beginning Word Helena >Creative Leadership Crash Course Billings >Windows Intro Helena	<b>10</b>
<b>11</b>	<b>12</b> >Intermediate Access Helena >Taking Control of Your Workday Kalispell >The Essentials of Managing the Front Desk Missoula	<b>13</b> >Beginning Excel Helena >Getting it All Done Missoula >How to Handle Difficult People Missoula >Intermediate Access Helena >Intermediate Word Helena >The Evolving Leader Billings(Jan 13 & 20)	<b>14</b> >Intermediate Access Helena >Intermediate Word Helena >Taking Control of Your Workday Helena >The Essentials of Managing the Front Desk Helena	<b>15</b> >How to Handle Difficult People Helena >Intermediate Word Helena >Taking Control of Your Workday Great Falls >The Evolving Leader Bozeman (Jan 15 & 22)	<b>16</b> > Beginning Excel Helena > Hazwoper 8 hr Refresher Billings >The Essentials of Managing the Front Desk Bozeman	<b>17</b>
<b>18</b>	<b>19</b>	<b>20</b> >PowerPoint Intro Helena >The Essentials of Managing the Front Desk Billings >Wage & Hour Law Compliance Missoula >Writing--Business Plan Missoula	<b>21</b> >How to Handle Difficult People Billings >PowerPoint Intro Helena >Wage & Hour Law Compliance Helena	<b>22</b> >Intermediate Excel Helena >PowerPoint Intro Helena >Trenching & Excavation Helena >Wage & Hour Law Compliance Bozeman	<b>23</b> >Getting the Most From MS Excel Billings >Intermediate Excel Helena >Wage & Hour Law Compliance Billings	<b>24</b>
<b>25</b>	<b>26</b> >CPR/First Aid Billings	<b>27</b> > 29 <sup>th</sup> Annual Economic Seminar Helena >Conflict Management Missoula >Forklift Instructor Course Billings	<b>28</b> >29 <sup>th</sup> Annual Economic Seminar Great Falls	<b>29</b>	<b>30</b> >29 <sup>th</sup> Annual Economic Seminar Missoula	<b>31</b>
<b>1</b>	<b>Feb. 2</b> >Defensive Driving Billings	<b>Feb. 3</b> >The Evolving Leader, Missoula (Feb 3 & 11)	<b>Feb. 4</b> >29 <sup>th</sup> Annual Economic Seminar Bozeman	<b>Feb. 5</b> >29 <sup>th</sup> Annual Economic Seminar Butte >Bootstrap Marketing Missoula	<b>Feb. 6</b>	<b>7</b>

**2004**

29<sup>th</sup> Annual Economic Seminar-Street Smart Economics, Jan 27 Helena, Jan 28 Great Falls, Jan 30 Missoula, Feb 4 Bozeman, Feb 5 Butte, \$70. Bureau of Business and Economic Research, 406-243-5113 or [barb.wainwright@business.umt.edu](mailto:barb.wainwright@business.umt.edu).

Access Introduction, Jan 6 Helena, Jan 7 Helena, \$210. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com) or 406-442-3366.

Beginning Excel, Jan 13 Helena, Jan 16 Helena, \$160. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com) or 406-442-3366.

Beginning Word, Jan 7 Helena, Jan 8 Helena, Jan 9 Helena, \$210. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com).

Blueprint for your Business Success, Jan 6 Kalispell, Cost? Flathead Regional Business Center, (406)758-6222 or [jbrazinsky@state.mt.us](mailto:jbrazinsky@state.mt.us).

Bootstrap Marketing, Feb 5 Missoula, \$5. MT Community Development Corp., Steve Grover (406)728-9234 ext. 206 or [sgrover@mtcdc.org](mailto:sgrover@mtcdc.org).

Conflict Management & Confrontational Skills, Jan 27 Missoula, \$195. CareerTrack, 406-541-7829 or [customerservice@pryor.com](mailto:customerservice@pryor.com).

CPR/First Aid, Jan 26 Billings, \$60. MT Safety Services Council, [acarillo@associatedemployers.org](mailto:acarillo@associatedemployers.org) or 406-248-4893 or (fax)248-6228.

Creative Leadership Crash Course, Jan 6 Missoula, Jan 7 Helena, Jan 8 Bozeman, Jan 9 Billings, \$195. National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

Defensive Driving, Feb 2 Billings, \$60. MT Safety Services Council, [acarillo@associatedemployers.org](mailto:acarillo@associatedemployers.org) or 406-248-4893 or (fax)248-6228.

Evaluating a Business Idea, Jan 6 Missoula, \$5. MT Community Development Corp., Steve Grover (406)728-9234 ext. 206 or [sgrover@mtcdc.org](mailto:sgrover@mtcdc.org).

Forklift Instructor Course, Jan 27 Billings, \$100. MT Safety Services Council, or 406-248-4893 or (fax)248-6228 or [acarillo@associatedemployers.org](mailto:acarillo@associatedemployers.org).

Getting It All Done, Jan 13 Missoula, \$79. CareerTrack, [customerservice@pryor.com](mailto:customerservice@pryor.com) or 800-556-3009.

Getting the Most from Microsoft Excel, Jan 23 Billings, \$99. CompuMaster, 800-867-4340 or [www.compumaster.net](http://www.compumaster.net).

Hazwoper/8hr Refresher, Jan 16 Billings, \$150. MT Safety Services Council, or 406-248-4893 or (fax)248-6228 or [acarillo@associatedemployers.org](mailto:acarillo@associatedemployers.org).

How to Handle Difficult People, Jan 13 Missoula, Jan 15 Helena, Jan 21 Billings, \$139. National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

Intermediate Access, Jan 12 Helena, Jan 13 Helena, Jan 14 Helena, \$210. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com).

Intermediate Excel, Jan 22 Helena, Jan 23 Helena, \$160. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com) or 406-442-3366.

Intermediate Word, Jan 13 Helena, Jan 14 Helena, Jan 15 Helena, \$210. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com).

PowerPoint Introduction, Jan 20 Helena, Jan 21 Helena, Jan 22 Helena, \$210. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com).

Taking Control of Your Workday, Jan 12 Kalispell, Jan 14 Helena, Jan 15 Great Falls, \$79. CareerTrack, 800-556-3009, (fax)913-967-8847, [www.careertrack.com](http://www.careertrack.com).

The Essentials of Managing the Front Desk, Jan 12 Missoula, Jan 14 Helena, Jan 16 Bozeman, Jan 20 Billings, \$139. National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

The Evolving Leader, Jan 13 & 20 Billings, Jan 15 & 22 Bozeman, Feb 3 & 11 Missoula, \$325. Associated Employers of Montana, [acarillo@associatedemployers.org](mailto:acarillo@associatedemployers.org) or 406-248-6178 or (fax)406-248-6228.

Trenching & Excavation, Jan 22 Helena, Free. OSHA, [www.montanasafety](http://www.montanasafety) or 406-444-6401.

Wage and Hour Law Compliance, Jan 20 Missoula, Jan 21 Helena, Jan 22 Bozeman, Jan 23 Billings, \$249. National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

Windows Introduction, Jan 8 Helena, Jan 9 Helena, \$160. The Computer School, [CUdell@aol.com](mailto:CUdell@aol.com) or 406-442-3366.

Writing a Business Plan, Jan 20 Missoula, \$5. MT Community Development Corp., Steve Grover (406)728-9234 ext. 206 or [sgrover@mtcdc.org](mailto:sgrover@mtcdc.org).



**Employee Value Proposition** from Intuit, Inc. (Mountain View, CA) as quoted in *HRfocus*, December 2003

- Help me to be productive, do great things, and be the best I can be.
- Let me know where I stand and how I'm doing.
- Invest in me to help me grow fast.
- Pay me fairly and recognize my contributions.
- Make me an integral part of the team.
- Create a positive work environment.

### Four Keys to Performance Appraisal Success

quoted from A Letter to the Employer: Better Performance Appraisals from *HRfocus*, November 2003

1. **Be consistent.** Give employees regular reviews—every three months, six months, or annually. The employee will come to rely on the feedback, and it gives the manager an opportunity to keep the employee on track with goals and training needs.
2. **Be specific.** Only review the employee's specific performance in his or her job. Customize the appraisal form to assure that the review relates to the job.
3. **Be open to feedback from employees.** Give employees a blank copy of their customized evaluation form a few days before their appraisals "so you can discuss and compare your individual views." This will help everyone 'stay on track' and focus on what is important and expected for the employee to perform (his or her) job effectively.
4. **Be positive.** The review process shouldn't remind your employees of being called into the principal's office in high school. In other words: "Avoid administering discipline...leave this for a separate interview." Instead: "Make the performance appraisal meeting a positive experience. Praise the employee for past success and use the opportunity to provide suggestions for even greater contributions to the organization and to encourage personal development and growth." Not that you sweep problems under the rug—that's the road to wrongful-termination suits. However, when a "problem or concern is recognized, focus on finding a solution, and set appropriate goals for improvement with the employee."

**Plus:** Try to keep discussions of money out of the appraisal meeting. Nonetheless, you can certainly use what you've learned in your appraisal meetings to determine wage increases and bonuses. "When employees are made to feel that the employer is genuinely interested in helping them become more productive and skilled, morale is enhanced and the organization is in a position to reap many rewards."

### QUOTE OF THE MONTH

I can live for two months on one good compliment.

Mark Twain

## DISABILITY DISCRIMINATION

What can you do with a drunken sailor—or any other employee?

*Both Montana law and federal law prohibit discrimination against people with mental or physical disabilities. The fact that the Americans with Disabilities Act (ADA) protects alcoholics and rehabilitated drug users causes some employers to feel uncertain when confronted with an employee who's impaired. We thought some guidance might be in order.*

### ADA protections

One section of the ADA deals with the use of illegal drugs and alcohol. While the law doesn't protect employees or applicants who are "currently engaging in the illegal use of drugs," employers can't discriminate against former users who have successfully completed a supervised rehabilitation program or are participating in such a program. Alcoholics are similarly protected.

Under the ADA, you can forbid employees from using or being under the influence of drugs and alcohol in the workplace. Most important, you can hold an employee who drinks or uses illegal drugs to the same standards of performance and behavior that you hold all your other employees, even if the employee misbehaves because of drug or alcohol use.

As you know, under Montana law, you may not test for illegal drugs unless you're required to do so by federal law or you have a qualified drug-testing policy. The ADA doesn't prohibit you from testing employees or applicants. What you can't do is require individuals who have successfully completed rehabilitation programs to undergo testing if you aren't testing the rest of your employees.

### What does that mean?

It means you can't refuse to hire someone because she's a recovering alcoholic or because at some time in the past there was a problem with drug addiction or alcohol use. What you need to do is focus on the employee as she is presently before you and then hold her to the same standards to which you hold all your other employees. You don't have to make allowances for employees who can't get to work on time because they were drunk the night before or who are moody, violent, or destructive because of substance abuse.

It also means you can't fire someone because he's in a rehabilitation program. It doesn't mean you have to provide rehabilitation or keep an employee who has broken your rules just because he's undergoing rehabilitation. That decision is entirely up to you.

### Impaired employee

If you suspect an employee is under the influence at work, identify the behaviors that lead you to believe she's impaired. Is her speech slurred? Is she staggering? Does she smell of alcohol? If so, discuss the behaviors with the employee and, if necessary, relieve her of her duty and make arrangements for transportation home.

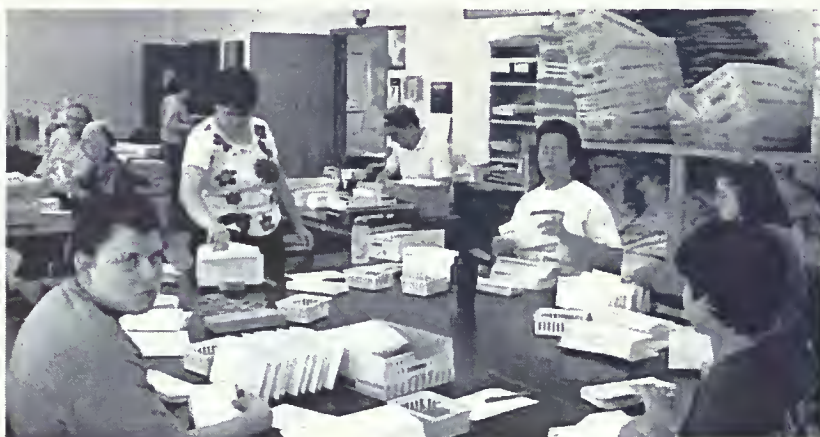
Don't let an impaired employee drive. If the situation is egregious and you have real concerns about the employee's health, have her evaluated by a physician. From time to time, certain illnesses or conditions can make it appear that an employee is under the influence when in fact she's ill and needs medical attention.

From Montana Employment Law Letter, Vol. 8, #9, October 2003.



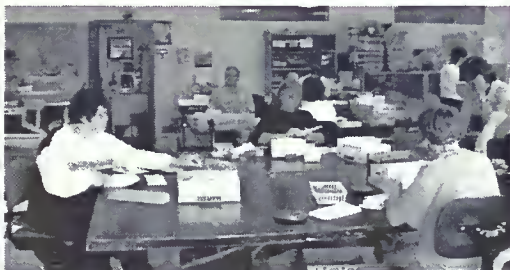
## THANK YOU, Helena Industries

Did you know that the employees at Helena Industries work hard each month to make sure you get your printed copy of the DBE newsletter? That's right. Each month, the workers at Helena Industries adhere the mailing labels and shipping tabs to each newsletter to prepare for mailing, and get the newsletters to the mailing center. Here at DBE Supportive Services we are very pleased with their quality work and the costs for their services. Thank you, Helena Industries.

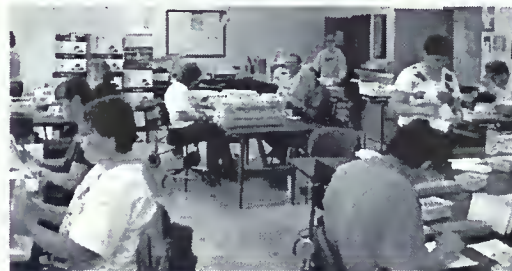


Helena Industries helps people with disabilities reach their highest vocational potential by providing the most diverse work and work training opportunities available anywhere in the State of Montana. Real jobs involve value-added products and services that are worth something to their purchaser. Over the years, Helena Industries has developed a wide array of both textile and wood products. Examples of these products are backpacks, brief cases, duffel bags, pallets, gift boxes, storage sheds and more. Additionally, Helena Industries has generated a number of labor-intensive services such as bulk mailing and large-building janitorial. All of these endeavors have produced jobs that give workers a paycheck and self-worth. This past year, with assistance from our supported employment staff, Helena Industries found or maintained jobs in the Helena community for 82 people with disabilities and made partnerships with ten new employers, joining forces with hundreds of others who have worked with Helena Industries to promote employment opportunities for people with disabilities. Benchmark

manufacturing produced over 52,000 backpacks and field packs for the U.S. Forest Service this past year as well as thousands of other products. Our Wood Products division manufactured over 40,000 pallets, millions of wood stakes, and made thousands of military containers shipped to American bases throughout the U.S. and Europe.



For more information about  
Helena Industries, check out their  
web site at:  
<http://www.helenaindustries.org/>



## HOW TO THINK LIKE A SUCCESSFUL PERSON (by Harriet Meyerson in *Vitality*, October 2003)

**THINKING LIKE A SUCCESSFUL PERSON ISN'T AS SIMPLE AS THINKING POSITIVE.** Success is a complicated concept that means different things to different people. Keep in mind the following wisdom from some of the world's most successful people as you pursue your success.

**Please Yourself** *"If your success is not on your own terms, if it looks good to the world but does not feel good in your heart, it is not success at all."*—Anna Quindlen. Instead of measuring yourself by someone else's definition of success, decide what success means to you. This task requires exploring what you value most in several areas of your life.

**Have a Vision** *"Champions aren't made in gyms. Champions are made from something they have deep inside them: A desire, a dream, a vision."*—Mohammad Ali. Take your values and turn them into a vision for your life. Describe your vision in detail, then visualize what you want. Be flexible, and adjust your vision as you gain more knowledge and new insights.

**Feel Deserving** *"It is better to deserve honors and not have them, than to have them and not deserve them."*—Mark Twain. Successful people believe they deserve success because they're giving something of value to others.

**Be Willing to Work Hard** *"There are no secrets to success. It is the result of preparation, hard work and learning from failure."*—Colin Powell. Not all the paths to success are filled with fun and excitement. Many are filled with difficult or boring tasks. Be willing to do whatever is necessary to achieve success.

**Expect Problems** *"The person interested in success has to learn to view failure as a healthy, inevitable part of the process of getting to the top."*—Dr. Joyce Brothers. The road to success is filled with people who will try to block your path, promotions that won't come through and downturns in the economy that will hurt your business.

**Make a Commitment** *"Eighty percent of success is showing up."*—Woody Allen. Plan your success goals using a calendar. That will give structure to your days, weeks and months. Never give up until your vision becomes reality.

**Create a Success Team** *"Individual commitment to a group effort—that is what makes a team work, a company work, a society work, a civilization work."*—Vince Lombardi. People don't succeed all by themselves. You'll need the cooperation of your family, friends, and coworkers. You may need to consult with experts, take training classes to learn new skills and enlist others to help.

**Make a Difference** *"To laugh often and much; to win the respect of intelligent people and the affection of children; to earn the appreciation of honest critics and endure the betrayal of false friends; to appreciate beauty; to find the best in others; to leave the world a little better, whether by a healthy child, a garden patch or a redeemed social condition; to know even one life has breathed easier because you have lived. This is the meaning of success."*—Ralph Waldo Emerson. It's your responsibility to define what success means to you, and then to take the steps necessary to turn your vision into reality.



## **MDT Highway Construction Projects Invitation for Bids, Letting of January 29, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Section, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on January 29, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bids proposals, plans, cross-sections, and full instructions to bidders are on file for examination, and may be obtained from the Contract Plans Section 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Ashley Creek-Kalispell, Federal Aid Project No. NH 5-3(66)109F** Grading, gravel, plant mix surfacing, Portland Cement Concrete Pavement & water & sewer utility construction on 4.3 km of the Ashley Creek-Kalispell project in Flathead County. DBE contract goals are 3.0%.
2. **13 km N. of Big Timber-North & Swamp Cr. Appr.-6 km N. of Big Timber, Federal Aid Project No. STPP 45-1(17)8 & STPP 45-1(21)4** STPP 45-1(17)8-Grading, cement-treated base, plant mix surfacing & 20 meter pre-stressed structure on the 13 km North of Big Timber-North project in Sweet Grass County. STPP 45-1(21)4-Grading, gravel & surfacing of an approach road, new parking area & guardrail relocation on the Swamp Creek Approach-6 km North of Big Timber project in Sweet Grass County. DBE contract goals are 4.0%.
3. **Ferry Rehabs-Missouri River, Federal Aid Project No. FBD-MT 0002(524)** This project consists of the rehabilitation of three ferryboat-crossing sites on the Missouri River in north central Montana. McClelland/Stafford Ferry, Virgelle Ferry, and Carter Ferry. DBE contract goals are 0.0%.
4. **Clarks Fork-South of Belfry, Federal Aid Project No. BR 9005(24)** Grading, structure removal, bridge, PMBS and guardrail on the Clarks Fork-South of Belfry project on Carbon County Local Route 129, in Carbon County. DBE contract goals are 0.0%.
5. **Jct. US 89-Martinsdale, State Project No. SFCS 294-1(6)0** Milling, Plant mix-surfacing overlay, seal and cover on 43.5 km of Secondary 294, Jct. US 89-Martinsdale Road in Meagher County. This contract has no DBE goals.
6. **Jct. Sec. 279-Rogers Pass, Federal Aid Project No. NH 24-3(27)83** Leveling, plant mix bituminous surfacing overlay, seal & cover on 13.092 km of the Jct. Sec. 279-Rogers Pass project in Lewis and Clark County. DBE contract goals are 0.0%.
7. **Butte-Elk Park Structures, Federal Aid Project No. IM 15-3(65)134** Bridge rehabilitation, approach slab replacement, guardrail, striping and seal & cover on 0.4 km of the Butte-Elk Park Structures project on I-15 in Jefferson County. DBE contract goals are 0.0%.
8. **Main Street-Hamilton & Signal-Main Street-Hamilton, Federal Aid Project Nos. STPS 531-1(6)5 & STPS 531-1(7)6** Overlay, seal & cover, & traffic signal on 2.8 km of State Secondary Route 531 in the City of Hamilton in Ravalli County. STPS 531-1(6)5 Cold milling, overlay, seal & cover, sidewalk & curb beginning at RP 4.5± and extending to RP 6.3±. STPS 531-1(7)6 Traffic Signal at the intersection of Main Street and 2nd Street. DBE contract goals are 0.0%.
9. **Turn Bays-South of Gallatin Gateway, Federal Aid Project No. NH 50-2(38)73** Grading, plant mix bituminous surfacing, drainage, guardrail, striping and signing on 1.6 km on the Turnbays-South of Galatin Gateway project on US 191, in Gallatin County. DBE contract goals are 0.0%.

### **More MT Contracting Opportunities**

Missouri River Projects, Fort Peck, MT, #W9128F-04-R-0001, U.S. Army Engineer District, Omaha. Bid Date: February 13, 2004. Project consists of site work, concrete, metals, doors & windows, finishes, equipment, Jan Cook 402-221-4118.

Cut Bank Airport Authority, Essential Air Service Committee. Work is for a numerical and comprehensive study of passenger air services needs of the citizens, business and governments of the Montana area that includes Glacier, Toole & Pondera Counties. Accepted through Feb. 25, 2004. Rick Kraft, 38 B South Central Ave., Cut Bank, MT 59427. [cutbankeas@yahoo.com](mailto:cutbankeas@yahoo.com).

Department of Agriculture Forest Service, R-1 Lolo National Forest Department of Agriculture, Forest Service, R-1 Lolo National Forest, Building 24, Fort Missoula, Missoula, MT 59804 Tree Planting and Animal Damage Control SOL: RFP\_R1-16-04-023 DUE: 020204 Tami Mitchell, Phone 406-329-3709, [tmitchell@fs.fed.us](mailto:tmitchell@fs.fed.us). [www.epa.gov/spg/USDA/FS/03R6/RFP\\_R1-16-04-023/listing.html](http://www.epa.gov/spg/USDA/FS/03R6/RFP_R1-16-04-023/listing.html).

The City of Billings Public Works Department is soliciting proposals from qualified Consultants to provide engineering services for each of the following: South Billings Boulevard. Phase I Design (City of Billings Work Order 04-11) and Alkali Creek Road Improvements (City of Billings Work Order 04-12). Copies of the proposal must be received by the City before 5:00 PM on Friday, January 23, 2004. <http://ci.billings.mt.us/Online/rfp.php>.

Department of the Interior Bureau of Land Management Centers Region Hazardous Fuels Reduction SOL: NAR040048 DUE: 030204 Beverly C Sechrest 3032369441 [BeverlySechrest@blm.gov](mailto:BeverlySechrest@blm.gov); The Bureau of Land Management (BLM) has a requirement for hazardous fuels management (fuels reduction) services to treat vegetation to reduce the risk of wildland fires. [www.epa.gov/spg/DOI/BLM/NCR/NAR040048/listing.html](http://www.epa.gov/spg/DOI/BLM/NCR/NAR040048/listing.html)

The City of Billings Public Works Department is soliciting proposals from qualified Consultants to provide construction administration and inspection services for the following: Shiloh Road Avenue B to Rimrock Road (City of Billings Work Order 95-08). Bid Date: January 23, 2004. <http://ci.billings.mt.us/Online/rfp.php>

Alder South Overlay and Chip Seal, 307033 Department of Transportation Jan 20, 2004. (406)444-3315 Fax:(406)444-2529, <http://www.discoveringmontana.com/boa/GSD/osbs/Default.asp>

## MONTANA DBE PROGRAM

Alice Flesch, Acting DBE Program Manager,  
aflesch@state.mt.us (406) 444-9229

Leslie Wootan, Acting DBE Program Specialist, lwo-  
otan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services  
Manager, rejohnson@state.mt.us (800) 883-5811

Bamby Campbell, DBE Supportive Services Admin.  
Assistant, bamcampbell@state.mt.us (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.,  
trueaton@state.mt.us (406) 444-6331

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-  
7592 www.mdt.state.mt.us and click on Civil Rights Bureau

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200 copies of this public document were published and distributed at an estimated cost of 49 cents per copy for a total of \$98.00 MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.

DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001  
800-883-5811  
TTY (800)335-7592



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# DBE NEWSLETTER

MONTANA DEPARTMENT OF TRANSPORTATION

Published Monthly by DBE Supportive Services

Volume 4, Issue 2

Promoting the growth of Disadvantaged Business in Montana

February 2004

## Upcoming Dates

MDT Bid Letting Feb 26, 2004

MDT Invitation for Bids Feb 26, 2004

Contracting with Bureau of Land Management  
(BLM) Workshop Feb 11, 2004

General Services Administration  
(GSA) Workshop Feb 12, 2004

## WHAT DO YOU MEAN TEAR THEM OUT AND START OVER? ^%#!

That phrase is occasionally heard when contractors and MDT field staff are discussing ADA accessible ramps, sidewalks and curb cuts. We would like to remove that phrase from the engineering language. Here's how we hope to do it!

We have developed a "hands on" **4-hour** course that has been designed specifically for your superintendent or foreman who is responsible for building those ADA accessible features on MDT projects. The course will provide specific information that will teach your staff how to put them in and walk away knowing they meet specifications.

The course will be held in two locations:

**MARCH 10, 2004 - GREAT FALLS 1:00 - 5:00 PM**

**FEBRUARY 25, 2004 - BILLINGS 1:00 - 5:00 PM**

Please contact Alice Flesch, Acting ADA Coordinator at (406)444-9229 or email: [aflesch@state.mt.us](mailto:aflesch@state.mt.us) if you have any questions.



Please say "Welcome" and "Good Bye"  
to

Jeanette Schlenske and Bamby Campbell

Jeanette is the new Assistant Manager in DBE Supportive Services, working closely with Rebecca on providing more support to the DBE companies. Bamby is leaving the office mid February. Please join Rebecca in wishing Bamby farewell and best wishes for a happy life.

## Davis-Bacon / Title 6 TRAINING

Sponsored by:

Montana Department of Transportation  
Montana Contractors Association

*"An Ounce of Prevention is Worth a Pound of Cure"*

- » Learn the basics of Davis-Bacon Certified Payrolls
- » Learn to avoid adverse audits under the Civil Rights Act
- » Learn proper fuel use and reporting

Provided for: Contractors / Local & County Govt.

Glendive	March 31, 2004
Billings	April 07, 2004
Butte	April 14, 2004
Great Falls	April 21, 2004
Missoula	April 28, 2004

For detailed information or to request  
accommodations call Jim Phillips (406) 444-6331,  
TTY (800) 335-7592



Jeanette Schlenske and Bamby Campbell

# MONTANA DBE COMPANY MONTHLY UPDATE

## Recently Re- Certified DBE Companies

Indian Country Environmental Assoc., Browning, MT    Owner: Gabriel Renville

## De- Certified DBE Companies

A&S Development & Construction, Poplar, MT    Owner: Ann Lambert



### **BROADUS AIRPORT, BROADUS, MONTANA - AIP 3-30-0011-005 DISADVANTAGED BUSINESS ENTERPRISE PARTICIPATION GOAL**

The Broadus Airport Project has been modified from the 2003 Bid. FY 2004 construction will consist of

Grading, Drainage & Fencing.

Notice is hereby given that the Powder River County Commission has submitted to the Federal Aviation Administration (FAA) a Disadvantaged Business Enterprise Program Goal of 3.79% (three point seven nine percent) for Federal Fiscal Year 2004. Powder River County Commission expects to meet the DBE goal by achieving 0.0% via race-neutral means and 3.79% via race-conscious means. This application is being filed in compliance with provisions of the regulations published in the Code of Federal Regulations, Section 49, Part 26. Documents in support of this application are available for public examination during regular business hours at the Powder River County Courthouse until February 18, 2004. Comments will be accepted for a period of 45 days with the DBE Liaison Officer: Mr. Ray Traub, Chairman, Powder River County Commission, PO Box 270, Broadus, MT 59317-0270.

Powder River County Commission attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Airport.

DBE Liaison Officer  
Ray Traub, Chairman  
Powder River County Commission  
Phone: (406) 436-2657 Fax: (406) 436-2151  
E-mail: [kamende@co.powder-river.mt.us](mailto:kamende@co.powder-river.mt.us)

## **As Read MDT January 29, 2004 Bid Letting Results**

<b>Project Title and #</b>	<b>Prime Bidder</b>	<b>Low Bid Amount</b>	<b>DBE Participation Dollars/%</b>
<b>NH 5-3(66)109 F</b> Ashley Creek - Kalispell	JTL Group	\$ 16,344,308	\$ 679,954 4.16%
<b>STPP 45-1(17)8</b> Big Timber North - swano creek approach	M A Deatley Construction	\$ 8,904,836	\$ 536,885 6.03%
<b>FBD-MT 0002(524)</b> Ferry Rehab - Missouri River	Diamond Construction, Inc.	\$ 767,347	
<b>BR 9005(24)</b> Clarks Fork - South of Belfry	Sletten Construction Company	\$ 1,226,635	
<b>SFCS 294-1(6)0</b> JCT US 89-Martinsdale	Riverside Contracting, Inc.	\$ 1,755,892	
<b>NH 24-3(27)83</b> JCT S-279- Rogers pass	Helena Sand & Gravel, Inc.	\$ 858,808	
<b>IM 15-3(65)134</b> Butte - Elk Park Structures	Sletten Construction	\$ 765,430	
<b>STPS 531-1(6)5</b> Main Street - Hamilton	Helena Sand & Gravel	\$ 268,818	
<b>NH 50-2(38)73</b> Turnbays - S of Gallatin Gateway	Bullock Contracting	\$ 698,913	



## WHAT IS A BUSINESS PLAN AND WHY SHOULD I WRITE ONE?

You've probably heard all the academic and formal definitions of a business plan—something to the effect that it's a document describing your company's goals and means of achieving them over the next three to five years. However it's phrased, though, the definition is usually abstract, dry and uninformative.

Here's how I would define a business plan: *It's a document that convincingly demonstrates that your business can sell enough of its product or service so as to make a satisfactory profit and be attractive to potential backers.* In other words, a business plan is a *selling document*. It sells your business and its executives to potential backers of your business, from bankers to investors to partners to employees.

The business plan is your company's principal sales tool in obtaining a loan or raising equity capital. Loan officers and investors want to be sure you have thought through your plans carefully, you know what you are doing, and you can respond effectively to problems and opportunities that arise. Therefore, your business plan must be well prepared and persuasive in conveying the potential of the company it describes. It should address all major issues, and yet not be so detailed that it "turns off" the reader.

But remember, you should write a business plan, first and foremost, to **sell yourself** on the business.

So if you need assistance in developing your business plan because you're thinking of starting or expanding a small business in Montana, the Montana Small Business Development Center can offer free confidential business counseling, technical assistance and training.

Please contact the Colstrip SBDC Sub-center at (406) 748-2990 for details and/or to schedule an appointment.

## LOOK WHAT'S NEW !

Poster Packet for Federal-Aid  
Projects is Now Available

(The dual employment rule  
has been added)

*Please call DBE Supportive Services  
office today for your packet.*



## TYPICAL CHARACTERISTICS OF THE SUCCESSFUL ENTREPRENEUR

A good deal is known about what it takes to be a successful entrepreneur. For the most part, it seems that the one overriding factor that is most often found in highly successful entrepreneurs is a tremendous need to achieve. In short, attitude seems to have almost everything to do with success in business, while factors such as intelligence, education, physical appearance and a pleasing personality are much less important. Characteristics of the typical successful entrepreneur include the following:

**An overpowering need to achieve**, as opposed to a need to be liked, or to exercise power. The form in which different individuals measure their achievement varies widely, ranging from amassing wealth to building a larger organization to creating a better mousetrap than anyone else.

The trait of **following through** on a commitment, not quitting halfway through when the going gets tough. In short, perseverance.

**Positive mental attitude**, or the ability to remain optimistic in novel situations, which essentially grow out of being self-confident about one's abilities.

**Objectivity**. The ability to accurately weigh and assess risks associated with a particular course of action, as well as being realistic about one's own abilities and limitations.

**A respectful attitude toward money**, but a tendency to look upon money as a means for accomplishing things, or a way of keeping score in the game of business, rather than as a thing to be sought as an end in itself.

**The tendency to anticipate developments** and to make things happen, rather than constantly reacting to problems as they arise.

**Resourcefulness**. The ability to solve unique problems in unique ways, to be able to handle things that come up for which the entrepreneur has no previous experience to rely on as a guide.

**Personal relations**. The successful entrepreneur usually has an emotionally stable personality, is cheerful, cooperative, and usually gets along well with (without necessarily being close to) employees and associates.

**Communications skills** are well developed, both in oral and written presentations.

**Technical knowledge** is usually well rounded, and the successful entrepreneur generally is knowledgeable about the physical process of producing goods and services, or at least can effectively utilize information regarding the physical process.

So if you think you have what it takes to be a successful entrepreneur based on the foregoing profile, please contact the Montana Small Business Development Center (SBDC) which offers free confidential business counseling, technical assistance and training.

Please contact the Colstrip SBDC Sub-center at (406) 748-2990 for details and/or to schedule an appointment.

## **Personnel Policies (Part 2 of 2)**

### **Income Based Requirements**

Some laws are triggered by a company's annual revenues. For example, the Fair Labor Standards Act becomes applicable when employers exceed five-hundred thousand dollars per year in revenue.

### **Federal Contractors**

If an employer receives contract or grant money from the federal government it must adhere to so called "purse-string" regulations which mandate employment standards in addition to those required of other employers. For example, having federal contracts can require the employer to give veterans preference, adopt affirmative action plans or require that the employer submit informational or compliance reports not required of other employers.

### **Interstate Commerce**

If an employee of an organization is engaged in accepting payment by credit card, the fact that the credit card terminal is connected via long distance to an out-of-state processing center can subject that specific employee to coverage under certain federal laws such as the federal Fair Labor Standards Act (the law mandating the payment of minimum wage and overtime) even though the remainder of the employees of the firm may be subject only to state law.

### **Public v. Private Sector Employee**

There are a number of differences that exist between labor standards applicable to public and private employers. Public employers generally are subject to certain constitutional requirements (i.e., due process, privacy, etc.) that may not apply to private employers. On the other hand, public employers are exempt from some rules applicable to the

private sector. A notable example is the issue of compensatory time. Compensatory time is the practice of allowing an employee to take paid time off in a work week in payment of time worked in excess of forty hours in an earlier work

week. Comp time, as it is commonly known, is allowed in the public sector. Therefore, state, county, city and other local jurisdictional employers may utilize comp time. In the private sector, however, comp time is unlawful to the extent that it shifts time between two work weeks in the avoidance of the payment of statutory overtime.

### **Organizational Differences**

Because of language in the Montana Wrongful Discharge from Employment Act, employers need to be concerned about mandatory language that occurs in their policies and to ensure that where such mandatory language (will, shall, must) occurs that the employer is prepared to follow that procedure in all circumstances. It is appropriate for an employer to consider the likelihood that supervisors will actually carry out the language before deciding to adopt policy provisions that become, "words to litigate by". Employers must research and then adopt policies that are specific to their company and which reflect jurisdictional, industry, size and other legal requirements to which they are subject, as well as reflecting

the organizations style and philosophy of operation. Borrowing policies from another organization or using software programs to develop policy statements rarely will accomplish this goal.

Because of the difficulty of writing policies that do not create more problems than they solve, I generally recommend that employers seek expert assistance. Such assistance must be from a person who is familiar with Montana law as well as the industry, size and other differences that may be applicable.

*This article is prepared by Jim Nys, Personnel Plus! Consulting Services, Inc., 910 E. Lyndale, Helena. It may be reproduced without advance permission as long as it is unedited, contains the name and address of the author and a copy is furnished to the author upon publication.*



# February Business Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>	<b>7</b>
<b>8</b>	<b>9</b> > How to Get More Organized Kalispell	<b>10</b> > Bridging Gap Between Generations Missoula > How to Get More Organized Missoula > New Business Workshop Helena > Small Business Tax Workshop Helena	<b>11</b> > Business Start-up 101 Bozeman > Facilitation Techniques & Presentation Skills Missoula > How to Get More Organized Helena	<b>12</b> > How to Get More Organized Bozeman	<b>13</b> > How to Get More Organized Billings	<b>14</b>
<b>15</b>	<b>16</b>	<b>17</b>	<b>18</b> > QuickBooks Payroll Helena	<b>19</b> > Health Related Issues Helena	<b>20</b> > Become an Employer Kalispell > Ergonomics Helena > How to Design a Training Program Billings	<b>21</b>
<b>22</b>	<b>23</b> > Forklift Operator Training Billings > Management Skills For First-Time Supervisors Kalispell	<b>24</b> > Facilitation Techniques & Presentation Skills Bozeman > Let's Brainstorm Your Business Ideas Helena > Management Skills For First-Time Supervisors Missoula > Violence in the Workplace Billings	<b>25</b> > Facilitation Techniques & Presentation Skills Billings > Management Skills For First-Time Supervisors Helena	<b>26</b> > Management Skills For First-Time Supervisors Bozeman > Trenching & Excavation Billings	<b>27</b> > Management Skills For First-Time Supervisors Billings	<b>28</b>
<b>29</b>	<b>March 1</b>	<b>March 2</b> > Communicating With Tact & Finesse Bozeman (Mar 2 & 3)	<b>March 3</b> > OSHA 10 Hour Construction Helena (Mar 3 & 4)	<b>March 4</b> > Communicating With Tact & Finesse Billings (Mar 4 & 5)	<b>March 5</b>	<b>6</b>

**2004**

Become an Employer of Choice Brownbag Series - Diamonds in the Rough, Feb 20 Kalispell, FREE. A complimentary brown bag lunch series featuring business professionals and trainers leading open discussions on a variety of human resource topics. This session's topic is Diamonds in the Rough: Best practices for growing your employees. Sponsors: Flathead Regional Business Center, Flathead Valley Community College, [mmcarthy@state.mt.us](mailto:mmcarthy@state.mt.us) or 406-758-6241.

Bridging the Gap Between the Generations, Feb 10 Missoula, \$40. Sponsors: Missoula Job Service Employers Committee (JSEC), Service Corp of Retired Executives (SCORE) 406-542-5751.

Business Start-up 101, Feb 11 Bozeman, FREE. Advance registration is required. Feasibility analysis, Business plans, Financing projections, Licensing, Forms of organization, & sources of financing. SBA Sponsored, [botmlne@bozeman.org](mailto:botmlne@bozeman.org) or 406-587-3113.

Communicating With Tact & Finesse, Mar 2&3 Bozeman, Mar 4&5 Billings, \$395. National Seminars Group, 800-258-7246 or [www.natsem.com](http://www.natsem.com).

Ergonomics, Feb 20 Helena, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.

Facilitation Techniques & Presentation Skills, Feb 11 Missoula, Feb 24 Bozeman, Feb 25 Billings, Associated Employers of Montana, [acarrillo@associatedemployers.org](mailto:acarrillo@associatedemployers.org) or 406-248-6178.

Forklift Operator Training, Feb 23 Billings, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.

Health Related Issues in Construction & General Industry, Feb 19 Helena, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.

How to Design a Training Program (So That Anyone Can Present It Successfully), Feb 20 Billings, \$179. National Seminars Group, 800-258-7246 or [www.natsem.com](http://www.natsem.com).

How To Get More Organized, Feb 9 Kalispell, Feb 10 Missoula, Feb 11 Helena, Feb 12 Bozeman, Feb 13 Billings, \$169. Padgett-Thompson, 800-258-7246 or [www.pttrain.com](http://www.pttrain.com).

Let's Brainstorm Your Business Ideas, Feb 24 Helena, \$15. Do you have an idea for a business you want to start, but aren't sure if the public is ready for it? Or do you have an idea for a current business that just needs refining or brainstormed by a friendly group of local folks with open minds and objective eyes? Use this roundtable forum to run your idea by others and gain feedback you can use to fine tune. Presented by local volunteers from the Service Corps of Retired Executives (SCORE). Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

Management Skills For First-Time Supervisors, Feb 23 Kalispell, Feb 24 Missoula, Feb 25 Helena, Feb 26 Bozeman, Feb 27 Billings, \$179. National Seminars Group, 800-258-7246 or [www.natsem.com](http://www.natsem.com).

New Business Workshop, Feb 10 Helena, \$10. Discover if you've got what it takes to start your own business and learn how to plan to make your ideas successful. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

OSHA 10 Hour Construction, Mar 3&4 Helena, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.

QuickBooks Payroll, Feb 18 Helena, \$75. Presenters: Anderson ZurMuehlen & Co., CPA's & Business Consultants. SBA Sponsored, Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

Small Business Tax Workshop, Feb 10 Helena, FREE. Galusha, Higgins & Galusha. Topics covered include business tax requirements, employment taxes, filing quarterly returns, using your home as your business and much more. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

Trenching & Excavation, Feb 26 Billings, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.

Violence in the Workplace, Feb 24 Billings, No Charge. OSHA, [www.montanafety.org](http://www.montanafety.org) or 406-444-6401.



## TAX CREDIT PROGRAMS SAVE EMPLOYERS MILLIONS

Two Federal tax credit programs saved Montana employers approximately \$2.5 million in FY2002. The Federal Work Opportunity Tax Credit (WOTC) which allows a tax credit of up to \$2,400 on wages paid during the worker's first year on the job and the Welfare-to-Work (W2W) tax credit which grants up to \$8,500 over the first two years of employment. Both tax credits are available to private, for-profit employers who hire workers from specific targeted groups. The number of new hires who can qualify the employer for these credits is unlimited.

The majority of employers aren't aware these programs exist. Others are reluctant to take the time to apply. These programs offer employers a federal tax credit when hiring individuals that belong to one of the nine target groups listed below:

- ✓ *Families with Dependent Children (AFDC)/  
Temporary Assistance to Needy Families (TANF)*
- ✓ *Ex-Felons*
- ✓ *High Risk Youth*
- ✓ *Summer Youth Employee*
- ✓ *Supplemental Security Income (SSI)*
- ✓ *Food Stamp Recipient*
- ✓ *Veterans*
- ✓ *Vocational Rehabilitation Referral*
- ✓ *Welfare to Work (W2W)*

These employer tax credits are designed to help people gain on-the-job experience and move from welfare programs to employment.

To apply for certification the employer needs to submit an IRS Form 8850(Pre-Screening Notice and Certification Request) and an ETA Form 9061(Individual Characteristics). These forms must be completed on or before the job is offered and submitted to the Montana WOTC Coordinator within 21 days from the employee's start date.

For more information about the program, contact the Montana WOTC Coordinator (Christy Robbins) at (406) 444-9046 or (800) 726-0615. Call DBE Supportive Services today at 800-883-5811 for a Free Employer Handbook.

### *Quote of the Month*

The meeting of two personalities is like the contact of two chemical substances: if there is any reaction, both are transformed.

*Carl Jung* (1875 - 1961)

## Tips for Recognizing Your Best Employees

**TIMELY** Don't wait. Give recognition as soon as possible after the good performance takes place. Praise tends to lose its effectiveness with the passing of time.

**SPECIFIC** Tell the person exactly what they did that was good. A mere "nice job" really doesn't say all that much. Being specific lets the person know what behaviors to repeat in the future.

**SINCERE** Insincere praise is usually worse than none at all. Be honest and open. Tell the person what their performance means to you personally.

**INDIVIDUAL** Focus on individuals rather than groups. Fact is, not all team members contribute equally.

**PERSONAL** Adjust the style and method of your recognition to the receiver. Some people like public praise, some prefer private discussions. Give "different strokes to different folks." Not sure what they prefer? Ask!

**PROPORTIONAL** Match the amount and intensity of recognition to the achievement. Going overboard for small stuff will make people question your motives.



## Traffic Safety Video Tape

"What's Wrong with this Work Zone?"

- **Free** to DBE companies
- **\$5.00** for other companies

This 18-minute video drives the viewer through a work zone with traffic control problems. The viewer must identify 20 safety problems with the work zone. The video then goes through the work zone again while pointing out the safety problems.

Remember, this is a Virginia DOT sponsored safety video and some traffic control safety standards may be different.

## More MT Contracting Opportunities

**Call When Needed Equipment Rental** on Flathead NF RFP R1-10-04-11 Presolicitation Notice, Bid Date: March 23, 2004, 2-year Indefinite Delivery/Indefinite Quantity solicitation issued date is February 20, 2004, Barbara Venturini, 406-758-5318, [bventurini@fs.fed.us](mailto:bventurini@fs.fed.us) <http://www.eps.gov/spg/USDA/FS/0385/RFP%5FR1%2D10%2D04%2D11/listing.html>

**Environmental Services**, RFP 60-04-013, Bid Date: March 19, 2004, Environmental Services for Region 2 and 4 of the Forest Service (Idaho, Montana, Nevada, Utah, Wyoming, Colorado, Kansas, Nebraska, South Dakota, Arizona, New Mexico, and the Bridgeport Ranger District in California). Services include hazardous material/waste cleanup, hazardous waste site cleanup, environmental audits and reports, potentially responsible party searches, and water and wastewater systems evaluations and reports. Two awards will be made for each of the five activity areas. Carolyn Lippire, Supervisory Contract Specialist, Phone (801) 975-3444, Fax (801) 975-3483, Email [jlippire@fs.fed.us](mailto:jlippire@fs.fed.us) <http://www.eps.gov/spg/USDA/FS/84N8/RFP%2D60%2D04%2D013/listing.html>

**Road Maintenance**, Lewis & Clark National Forest, R-15-04-08, Presolicitation Notice, Bid Date: March 30, 2004, Road maintenance on both the Rocky Mountain and Jefferson Divisions. Located near Choteau and Augusta and White Sulphur Springs, Harlowton, and Stanford. The work consists of performing road blading on both native surface and crushed aggregate surface roads. Work also includes construction of new water bars and rolling dips plus the cleaning of culvert catch basins and cattle guards. In addition, government furnished crushed gravel is to be hauled, placed and compacted on some Forest roads. This is an Indefinite Delivery Indefinite Quantity. Jan Wenaas, Phone 406-791-7717, Fax 406-731-5302, Email [jwenaas@fs.fed.us](mailto:jwenaas@fs.fed.us) <http://www.eps.gov/spg/USDA/FS/03K0/R%2D15%2D04%2D08/listing.html>

**Knox East Water Saver**, ESQ040016, Presolicitation, BLM Montana, Furnish labor, equipment, supplies and materials, except for specific government furnished property, to install one complete water catchment, including big game exclosures. Work under this contract is located in Fergus County, 60 miles northeast of Lewistown, Mt. Charlene Gunther Purchasing Agent 4068965195 [charlene\\_gunther@mt.blm.gov](mailto:charlene_gunther@mt.blm.gov); <http://www.eps.gov/spg/DOI/BLM/NBC/ESQ040016/listing.html>

**A&E Services for Utility Identification and Verification Services** for Washington, Idaho, Oregon and Montana, W912DW-04-R-0016, Bid Date: March 2, 2004, US Army Engineer District, The services required include but are not limited to verification and identification of the locations of existing underground utilities at various project sites supported by the Seattle District. Services also may include the use of the standard surveying methods and global positioning system (GPS) application, when and where appropriate. [barbara.a.weitzel@nws02.usace.army.mil](mailto:barbara.a.weitzel@nws02.usace.army.mil) <http://www.eps.gov/spg/USA/COE/DACA67/W912DW%2D04%2DR%2D0016/listing.html>

**East River Road Overlay & Chip Seal**, 307046, MT Dept of Transportation, Bid Date: Feb 19, 2004,

**Crack Sealing** 2 Locations South of Missoula, 307050, MT Dept of Transportation, Bid Date: Feb. 19, 2004,

**Crack Seal** Connor North, US-93, 307051, MT Dept of Transportation, Bid Date: Feb 19, 2004,

<http://www.discoveringmontana.com/doa/gsd/osbs/default.asp>

## **DBE PROGRAM EXPLORING POSSIBLE MENTOR/PROTÉGÉ PROGRAM**

The Montana Department of Transportation DBE program has retained Anne Wolfinger & Associates, LLC to conduct a feasibility study of a mentor/protégé program for certified DBE firms.

Long recognized as a viable learning strategy, mentoring is growing in popularity as organizations explore efficient, cost-effective ways to develop a trained workforce. The DBE regulations make specific provision for a mentor/protégé program with cost reimbursement provisions under the FTA, FHWA, and FAA programs.

The study will explore two questions: (1) Can a DBE Mentoring Program succeed in Montana? and (2) How is the DBE Mentoring Program structured and what does it contain to enhance success? To answer these questions, the study will consist of two primary components. The first is an information survey of states currently managing a DBE Mentor/Protégé program with the purpose of gaining from their experience and to solicit their recommendations on implementing a program in Montana. The second component will be a survey of stakeholders from interested groups, such as current DBE companies, prime contractors, Montana Contractors Association (MCA) staff and officers, and selected MDT staff, as well as others. The purpose of the survey is to solicit opinions and suggestions, determine the level of interest and support for such a program, and identify potential participants.

Stay tuned for more information as the study progresses. If you have any questions or comments, please contact Anne Wolfinger at 406-442-9655, or [anne@annewolfinger.com](mailto:anne@annewolfinger.com).



## **MDT Highway Construction Projects Invitation for Bids, Letting of February 26, 2004**

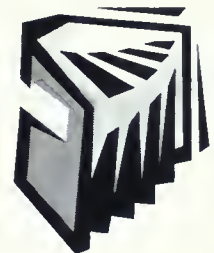
For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on February 26, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Dillon-Northeast & Dillon-North Montana Street, Federal Aid Project Nos. STPP-STPE 49-1(16)0 & STPP 89-1(8)2 STPP-STPE 49-1(16)0** - Grading, gravel, plant mix surfacing, sidewalk, curb and gutter, water and sewer construction on the Dillon-Northeast project in Beaverhead County. **STPP 89-1(8)2** - Grading, gravel, plant mix surfacing sidewalk, curb and gutter, water and sewer construction and landscaping on the Dillon—North Montana Street project in Beaverhead County. DBE contract goals are 0.0%.
2. **Boulder River - East, Federal Aid Project No. IM 90-7(80)369** Mill, fill, overlay, guardrail, and seal and cover on 14.5 kilometers of National Highway Interstate Route 90 in Sweetgrass County. DBE contract goals are 0.0%.
3. **Main Street - Billings Heights, Federal Aid Project No. NH 16-1(42)1** Cold milling, plant mix bituminous surfacing, ADA ramps, electrical work and pavement markings on the Main Street - Billings Heights project in Yellowstone County. DBE contract goals are 0.0%.
4. **Milk River Bridge - West of Chinook, Federal Aid Project No. NH 1-7(35)398** Grading, gravel, plant mix surfacing and construction of a three-span pre-stressed concrete structure on the Milk River Bridge - West of Chinook project in Blaine County. Submission of Bid Documentation is required with Contractor's bid. DBE contract goals are 0.0%.
5. **29 km North of Malta - North, Federal Aid Project No. NH 99-1(7)18** Leveling, plant mix surfacing overlay, and seal and cover on the 29 km North of Malta - North project in Phillips County. DBE contract goals are 0.0%.
6. **Lavina - West, Federal Aid Project No. NH 14-4(19)138** Dig out, plant mix overlay, seal and cover of 13.7 km on National Highway Route 14 in Golden Valley County beginning at RP 137.5± and extending to RP 146.1±. DBE contract goals are 0.0%.
7. **Keyser Cr. - 2 km West of Columbus, Federal Aid Project No. BR 306-1(11)1** This project consists of the construction of a 29.5-meter pre-stressed concrete beam bridge over Keyser Creek as well as grading, aggregate surfacing, plant mix surfacing, and seal and cover of the approaches on Secondary 306 in Stillwater County. DBE contract goals are 0.0%.
8. **Bearmouth - East & West, Federal Aid Project No. IM-STPHS 90-3(94)135** Repair of intermittent segments of deteriorated longitudinal paving joints, resurfacing, seal and cover, concrete median rail, signing and pavement markings on the Bearmouth - East & West project in Granite County. DBE contract goals are 0.0%.
9. **Montana & Rowe Rd. - Butte, Federal Aid Project No. CM 1805(10)** Grading, gravel surfacing, plant mix bituminous surfacing, seal and cover, sidewalks, electrical, and storm drain improvements on the Montana & Rowe Road - Butte project in Silver Bow County. DBE contract goals are 0.0%.
10. **Rocky Coulee - 33 km North of Cut Bank, Federal Aid project No. BR 9018(19)** Replacement of an existing timber structure with a reinforced box culvert, and gravel surfacing of the roadway on the Rocky Coulee - 22 km North of Cut Bank project in Glacier County.  
\* **MANDATORY PRE-BID CONFERENCE**, Thursday, February 5, 2004 at 1:00 PM, Tribal Personnel Conference Rm, Government Square, Browning, MT. DBE contract goals are 0.0%.
11. **Statewide Parking Area Upgrade, Federal Aid Project No. IM 0002(708)** Installation of vault toilets, sidewalks for ADA accessibility, pavement markings and signing at 5 locations on the Statewide Parking Area Upgrade project. DBE contract goals are 0.0%.
12. **Bank Stabilization - Phosphate, Federal Aid Project No. IM 90-3(89)171** Bank stabilization on the Clark Fork River, southeast of Phosphate on Interstate 90 in Powell County. DBE contract goals are 0.0%.
13. **2000-D1-Electrical, Federal Aid Project No. STPHS 5-3(84)99** Electrical (street lighting) work at two locations in Lakeside on the 2000-D1-Electrical project in Flathead County. DBE contract goals are 0.0%.

## **New DBE Lending Library Book Construction Contractors: Survival Guide**

*By Thomas C. Schleifer*



Penny Knoll, professor, MSU Department of Civil Engineering, highly recommends every construction contractor read this book. The book describes the ten elements of contractor failure (increase in project size, unfamiliarity with new geographical areas, moving into new types of construction, changes in key personnel, lack of managerial maturity in expanding organizations, poor use of accounting systems, failure to evaluate project profitability, lack of equipment cost controls, poor billing procedures, and transition to or problems with computerized accounting). **Call and check out a copy today.**

**MONTANA DBE PROGRAM**

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2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-  
7592 www.mdt.state.mt.us and click on Civil Rights Bureau

**Inside this issue:**

Upcoming Dates , What Do You Mean Tear Them Out Workshop, Davis-Bacon / Title 6 Training, "Welcome"	<b>1</b>
DBE Monthly Update, Broadus Airport Participation Goal, As Read Bid Results	<b>2</b>
What is a Business Plan, Characteristics of The Suc- cessful Entrepreneur, New Poster Packet	<b>3</b>
Personnel Policies Part 2	<b>4</b>
Tax Credit Programs, Recognizing Best Employees, Quote of the Month, Free Traffic Safety Video	<b>5</b>
More MT Contracting Opportunities, Mentor/Protégé Program	<b>6</b>
MDT Contracting Opportunities, New Lending Library Book	<b>7</b>

200 copies of this public document were published and distributed at an estimated cost of 49 cents per copy for a total of \$98.00 MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.



*DBE Supportive Services, Civil Rights Bureau*  
*Montana Department of Transportation*  
*PO Box 201001*  
*Helena, MT 59620-1001*



STATE DOCUMENTS COLLECTION

FEB 17 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59601



## TEA-21 Federal Highway Plan Gets Extension

TEA-21 receives a two month extension on Thursday, February 26th, the House of Representatives passed a two month extension of TEA-21. The Senate will follow on Friday. The two month extension will keep the Federal Highway and Transit Programs operating at the current funding levels through April 30th. US Senate approved six-year 2004 Safe-Tea Highway Bill, the bill now goes to the US House.

## 2004 UNDERGROUND STORAGE TANK TRAINING & TESTING

The Montana Department of Environmental Quality (DEQ) has scheduled refresher classes for underground storage tank installers, removers and inspectors on **April 14 and 15 in Helena**. At the same time, licensing tests will be offered.

*The refresher class for installers* will begin Wednesday, April 14, at 8:00am and go to 5:00pm. *Removers only* will be on Thursday, April 15 at 1:00pm and go to 5:00pm. *The inspector refresher course* will begin Thursday, April 14 at 8:00am and go to 5:00pm. Anyone who is currently licensed for underground storage tank work may attend the classes for continuing education credit. All new applicants must register and submit a \$100 fee to the MT DEQ, Waste and Underground Tank Bureau, P.O. Box 200901, Helena, MT, 59620-0901.

Classes will be held at DEQ Metcalf Building, 1520 6th Avenue, Helena. State law requires licensing of anyone who installs, closes, repairs, modifies or inspects underground storage tank systems.

More information is available from MT DEQ 406-444-1417 or at [www.deq.state.mt.us](http://www.deq.state.mt.us). Call DBE Supportive Services for registration forms or complete details (800-883-5811).



Emergency bid project, Sula Slide, February 2004

## Upcoming Dates

MDT Bid Letting Mar 25, 2004

MDT Invitation for Bids Mar 25, 2004

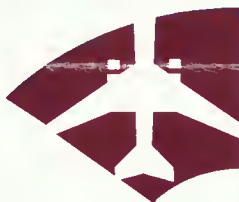
Montana DBE Conference Apr 12-13, 2004  
(MDT—Helena)

Davis Bacon / Title-6 Training  
Mar 31, 2004—Glendive  
Apr 7, 2004—Billings

DBE Quarterly Activity Report  
Due Apr 30, 2004

Form at: [www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/)

## EKALAKA AIRPORT IMPROVEMENTS PROJECT AIP 3-30-0025-003



**Bid Date: 1:00 P.M. Wednesday,  
March 31, 2004**

Rehab Runway and Taxiways, Work includes Asphalt Cement, Crack Sealing, Permanent Runway & Taxiway Painting, Seeding, Topsoiling, Adjust Runway Light Fixtures, Relocate Lighted Signs

Copies of the plans and specs are on file at Carter County Courthouse or may be obtained by payment of fifty dollars (\$50.00) (non-refundable) to Kadrmass, Lee & Jackson, Inc., 3237 East Broadway, Bismarck, ND 58501 (701-355-8400 Kathy Schmidt).

\* The overall Disadvantaged Business Enterprise (DBE) goal for on this project is 8.19%.

A **Pre-bid Conference** will be held **Tuesday, March 23, 2004, at 1:00PM, MST**, at the at the Carter County Courthouse, Courtroom, in Ekalaka.

## DBE GOAL & PARTICIPATION... (For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 5.12%

We are 1.17% below the yearly DBE Goal. Remind Contractors next time you are bidding. MDT has posted this information on the Contractor's System web page at <http://www.mdt.state.mt.us/cntrct/contract.htm>





## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

Air Specialists, Inc., Billings, MT Owner: Patrick Chapel

Rockin JL Specialties, Saco, MT Owner: Lora L. Butler

Moe's Best, Hot Springs, SD Owner: Cynthia Reed

### Recently Re-Certified DBE Companies

ITS, Inc., Butte MT Owner: Phyllis Egan

Northwest Archaeological Associates, Inc., Seattle, WA Owner: Christian J. Miss

Economy Excavating & Landscaping, Missoula, MT Owner: David Yuhas

### De-Certified DBE Companies

Premier Painting, Mills, WY Owner: Myrtle Julie Riddle

## As Read MDT February 26, 2004 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars / %	
STPP 89-1(8)2/STPP-STPE 49-1(16)0 Dillon - NO. Montana St/Dillon - NE	Helena Sand & Gravel dba Blahnik	\$5,453,285	\$329,045	6.03%
IM 90-7(80)369 Boulder River - East	Riverside Contracting, Inc.	\$3,599,051		
NH 16-1(45)1 Main St - Billings HTS	Empire Sand & Gravel Company	\$1,732,222		
NH 1-7(35)398 Milk River Bridge - West of Chinook	Riverside Contracting, Inc.	\$2,884,747		
NH 99-1(7)18 29 KM North of Malta - North	Riverside Contracting, Inc.	\$1,348,345		
NH 14-4(19)138 Lavina - West	JTL Group, Inc. - Billings	\$933,099	\$97,893	10.49%
BR 306-1(11)1 Keyser CR - 2 KM W Columbus	Frontier-West, LLC	\$656,039	\$34,649	5.28%
IM-STPHS 90-3(94)135 Bearmouth - E & W	Jim Gilman Excavating, Inc.	\$828,102		
CM 1805(10) Montana & Rowe Rd - Butte	Hollow Contracting	\$620,068	\$84,435	13.62%
BR 9018(19) Rocky Coulee - 33 KM N of Cut Bank	Willow Creek Construction	\$373,479	\$373,479	100.00%
IM 0002(708) Statewide Parking Area Upgrade	Hall Construction Services	\$223,194		
IM 90-3(89)171 Bank Stabilization - Phosphate	Little Bear Construction Co, Inc.	\$39,841		
STPHS 5-3(84)99 2000-D1-Electrical	Montana Lines, Inc.	\$32,948	\$32,948	100.00%



# Safety Pays...

## The Dirty Dozen



We have recently received the most commonly cited "OSHA" violations for Construction. They are the following:

- 1926.50 (c)** Failed to have a person certified in First Aid on the job site.
- 1926.50 (f)** Failed to conspicuously post emergency phone numbers on job site.
- 1926.404 (f) (6)** Failed to provide a permanent continuous path to ground from circuits, equipment and enclosures.
- 1926.152 (a) (1)** Failed to use approved containers for storage of flammable and combustible liquids.
- 1926.404 (b) (1) (i)** Not having GFCI's or an Assured Grounding Program.
- 1926.28 (a)** Not using personal protective equipment.
- 1926.416 (a) (1)** Failed to keep employee from working in proximity to energized circuits that could be accidentally contacted.
- 1926.59 (g) (1)** Failed to have or maintain Material Safety Data Sheets (MSDS).
- 1926.500 (e)(1)(iv)** Failed to equip stairs with guardrails.
- 1926.602 (a)(9)(i)** Failed to equip all bidirectional machines (rollers, compactors, front-end loaders, buss dozers, etc.) with horn distinguishable from surrounding noise level.
- 1926.500(d)(1)** Failed to provide rails or guarding on platforms/floors that subject worker to six foot or more fall.
- 1926.59(e)(1)** Failed to develop/implement written Hazard Communication Program.

*If you received an "OSHA" inspection today, how many of the "DIRTY – DOZEN" would you be guilty of?*

We have seen proposed construction penalties as high as \$50,000 with many of them in the \$5,000-\$10,000 range issued throughout the country. The re-emergence of high penalties indicates we have become lax about basic safety requirements. Check your jobsites today and avoid a high ticket penalty. There is no insurance that will cover these fines. It comes straight off the profit.

*- Information cited from Construction Safety Talks, #41, September 29, 2003*

AGC Forms Available to DBE Companies  
at  
No Cost:

**AGC 655:** Standard Form of Agreement between Contractor and Subcontractor (Where the Contractor and Subcontractor Share the Risk of Owner Payment)

**AGC 670:** Standard Form of Agreement Between Contractor and Subcontractor on Federal-Aid Highway Work

Call DBE Supportive Services and request your copy today at: 800-883-5811.

**Free!**

### How to Evaluate a Bookkeeper *Before* You Hire

A simple 20-minute test may save you a lot of grief and money.

Need some help with hiring a qualified bookkeeper? You can evaluate the potential bookkeeper before you hire with a **FREE** bookkeeper's hiring 20-minute test from the American Institute of Professional Bookkeepers. There are 10 questions on basic journal entries, adjusting entries, bank reconciliations, correction of accounting errors plus optional sections on payroll, depreciation, and inventory. The test is based on the national Certified Bookkeeper examination.

To receive this **FREE** Bookkeeper's Hiring Test, call 800-622-0121, e-mail [info@aipb.org](mailto:info@aipb.org), or [www.aipb.org](http://www.aipb.org)



## INDEPENDENT CONTRACTORS

### 20 Common Law Rules

Employers who wish to classify a worker as an independent contractor should be aware of the 20 common-law rules used to determine proper worker classification.

1. **Instructions.** An employee must comply with instructions about when, where, and how to work. Even if no instructions are given, the control factor is present if the employer has the right to give instructions.
2. **Training.** Independent contractors ordinarily use their own methods and receive no training from the purchasers of their services.
3. **Integration.** An employee's services are integrated into the business operations because the services are important to the success or continuation of the business. This shows that the employee is subject to direction and control.
4. **Services rendered personally.** An employee renders services personally. This shows that the employer is interested in the methods as well as the results.
5. **Hiring assistants.** An employee works for an employer who hires, supervises, and pays assistants. An independent contractor hires, supervises, and pays assistants under a contract that requires him or her to provide materials and labor and to be responsible only for the result.
6. **Continuing relationship.** An employee has a continuing relationship with an employer. A continuing relationship may exist where work is performed at frequently recurring although irregular intervals.
7. **Set hours of work.** An employee has set hours of work established by an employer. An independent contractor is the master of his or her own time.
8. **Full-time work.** An employee normally works full time for an employer. An independent contractor can work when and for whom he or she chooses.
9. **Work done on premises.** An employee works on the premises of an employer, or works on a route or at a location designated by an employer.
10. **Order or sequence set.** An employee must perform services in the order or sequence set by an employer. This shows that the employee is subject to direction and control.
11. **Reports.** An employee submits reports to an employer. This shows that the employee must account to the employer for his or her actions.
12. **Payments.** An employee is paid by the hour, week, or month. An independent contractor is paid by the job or on a straight commission.
13. **Expenses.** An employee's business and travel expenses are paid by an employer. This shows that the employee is subject to regulation and control.
14. **Tools and materials.** An employee is furnished significant tools, materials, and other equipment by an employer.
15. **Investment.** An independent contractor has a significant investment in the facilities he or she uses in performing services for someone else.
16. **Profit or loss.** An independent contractor can make a profit or suffer a loss.
17. **Works for more than one person or firm.** An independent contractor gives his or her services to two or more unrelated persons or firms at the same time.
18. **Offers services to general public.** An independent contractor makes his or her services available to the general public.
19. **Right to fire.** An employee can be fired by an employer. An independent contractor cannot be fired so long as he or she produces a result that meets the specifications of the contract.
20. **Right to quit.** An employee can quit his or her job at anytime without incurring liability. An independent contractor usually agrees to complete a specific job and is responsible for its satisfactory completion, or is legally obligated to make good for failure to complete it.

Because of the financial liability that may result from misclassifying an individual, if you have concern about the status of a worker, you should contact the workers' compensation carrier, the Montana Department of Revenue or the IRS for a ruling on the employee's status. Additional information can be found in IRS Circular E. If the employee is not eligible for independent contractor status, you may have to hire them or arrange for them to be payrolled through a temporary employment service.



# March Business Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b>	<b>6</b>
<b>7</b>	<b>8</b> > Essentials of Communication, (Mar 8-9) Kspl	<b>9</b> > OSHA Permit Confined Space Entry, Blgs > Workplace Behavior & Conflict Management, Blgs	<b>10</b> > Excelling As First-Time Supervisor, Msla > How to Write Better & Faster, Kspl > What Do You Mean Tear Them Out?, GT Falls > Workplace Behavior & Conflict Management, Bzm > HAZWOPER, Mar 10-Apr 7) Blgs	<b>11</b> > Excelling As First-Time Supervisor, Hlna > Handling People w/ Diplomacy/Tact, Blgs > Essentials of Communication, (Mar 11-12) Msla > Workplace Behavior & Conflict Management, Msla	<b>12</b> > Conference for Women, Hlna > Conquering Payroll in Montana, Blgs > Excelling As First-Time Supervisor, Bzm > Handling People w/ Diplomacy/Tact, Bzm	<b>13</b> > Excelling As First-Time Supervisor, GT Falls > Handling People w/ Diplomacy/Tact, Hlna
<b>14</b> > Handling People w/ Diplomacy /Tact, Msla	<b>15</b> > Collecting Accounts Receivable, Bzm	<b>16</b> > Collecting Accounts Receivable, Blgs	<b>17</b> > Customer Service Conference, Msla	<b>18</b> > Effective Safety Management, Blgs > Employee Record Keeping in MT, Blgs	<b>19</b> > ERISA, COBRA, HIPAA, Blgs > Occupational Safety & Health Inspections, Blgs	<b>20</b> > Harrassment in Workplace, Blgs
<b>21</b> > Workers' Comp in MT, Blgs	<b>22</b> > Go Ahead, Get A Mentor, (Mar 22-26) Hlna	<b>23</b> > Be a Highly Successful Team Leader, (Mar 23-24) Hlna > Indoor Air Quality-Mold & Other Factors, Blgs > Managing Multiple Projects, Miles City	<b>24</b> > Beginning Quickbooks, Hlna > Managing Multiple Projects, Blgs > Trenching & Excavation, Msla	<b>25</b> > Construction Scaffolding/Fall Protection, Msla > Employee Record Keeping in MT, Bzm > Be a Highly Successful Team Leader, (Mar 25-26) Msla > Managing Multiple Projects, Msla	<b>26</b> > Customer Service Conference, Msla > Employee Record Keeping in MT, Msla	<b>27</b>
<b>28</b>	<b>29</b> > Essentials of Communication, (Mar 29-30) GT Falls	<b>30</b>	<b>31</b> > Davis Bacon/Title-6 Training, Glendive > Harrassment in Workplace, Blgs > Essentials of Communication, (Mar 31-Apr 1) Hlna > Today's OSHA, Msla > Construction Site Erosion, (Mar 31-Apr 1) Butte	<b>Apr 1</b> > Today's OSHA, GT Falls	<b>Apr 2</b> > How to Write Better & Faster, Hlna > Today's OSHA, Hlna > Storm Water Pollution Prevention Plan, Butte	<b>3</b> > Today's OSHA, Bzm > Construction Site Erosion, (Apr 3-4) Butte

**2004**

\* Hlna - Helena, Blgs - Billings, Bzm - Bozeman, Msla - Missoula, Kspl - Kalispell

**Be a Highly Successful Team Leader, How to** Mar 23 & 24 Helena, Mar 25 & 26 Missoula, \$395, National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

**Beginning Quickbooks**, Mar 24 Helena, \$75, Presenters: Anderson ZurMuehlen & Co., CPA's & Business Consultants. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

**Collecting Accounts Receivable**, Mar 15 Bozeman, Mar 16 Billings, \$179, Natl Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

**Conference for Women**, Mar 12 Helena, \$149, SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com), [enroll@skillpath.net](mailto:enroll@skillpath.net) or 800-873-7545. Assertiveness Skills, Communication Techniques, Conflict Management, Positive Self-Esteem, and more!

**Conquering Payroll in Montana**, Mar 12 Billings, \$289. Lorman Education Services, [www.lorman.com](http://www.lorman.com) or 715-833-3959.

**Construction Scaffolding/Fall Protection**, Mar 25 Missoula, No Charge. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401.

**Construction Site Erosion and Sediment Control BMPs for MPDES Storm Water Permit Compliance, How To Select, Install and Inspect**, Mar 31- Apr 1 or Apr 3 - 4 Butte, \$125, MCA and DEQ Small Business Assistance Program, 406-442-4162.

**Customer Service Conference**, Mar 17 or Mar 26 Missoula, \$199, SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545.

**Davis Bacon/Title-6 Training**, Mar 31 Glendive, Apr 7 Billings, No Charge. MDT and MCA, [jamphillips@state.mt.us](mailto:jamphillips@state.mt.us) or 406-444-6045.

**Effective Safety Management Systems**, Mar 18 Billings, No Charge. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401. Help employers understand federal and state requirements for safety and health programs.

**Employee Record Keeping in Montana**, Mar 18 Billings, Mar 25 Bozeman, Mar 26 Missoula, AEM Member \$145, Non-Member \$195, Associated Employers of Montana, [acarrillo@associatedemployers.org](mailto:acarrillo@associatedemployers.org) or 406-248-6178.

**ERISA, COBRA and HIPAA: An Overview of the Statutory and Regulatory Framework in Montana**, Mar 19 Billings, \$289. Lorman Education Services, [www.lorman.com](http://www.lorman.com) or 715-833-3959.

**Essentials of Communication with Tact & Finesse**, Mar 31 & Apr 1 Helena, Mar 8 & 9 Kalispell, Mar 11 & 12 Missoula, Mar 29 & 30 Great Falls, \$395, National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

**Excelling As A First-Time Supervisor**, Mar 10 Missoula, Mar 11 Helena, Mar 12 Bozeman, Mar 13 Great Falls, \$149, Career Track, [www.careertrack.com](http://www.careertrack.com) or 800-556-3009.

**Go Ahead, Get A Mentor**, Mar 22-26 Helena, \$35, Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. A do-it-yourself approach for setting up your own simple, successful mentoring relationship.

**Handling People with Diplomacy and Tact**, Mar 11 Billings, Mar 12 Bozeman, Mar 13 Helena, Mar 14 Missoula, \$169, Key Productivity Center, [www.keyetrain.com](http://www.keyetrain.com) or 800-258-7246.

**Harassment: Preventing it in the Workplace/Developing Employee Handbooks**, Mar 20 or Mar 31 Billings, AEM Member \$145, Non-Member \$195, Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178.

**HAZWOPER 40HR/8HR Refresher**, Mar 10-Apr 7 Billings, MSSC Member \$325/\$100, Non-Member \$450/150, Montana Safety Services Council, [www.mssc.org](http://www.mssc.org) or 406-248-4893.

**How to Write Better & Faster**, Mar 10 Kalispell, Apr 2 Helena, \$195, National Seminars Group, [www.natsem.com](http://www.natsem.com) or 800-258-7246.

**Indoor Air Quality-Mold and Other Factors**, Mar 23 Billings, No Charge. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401.

**Managing Multiple Projects, Objectives and Deadlines**, Mar 23 Miles City, Mar 24 Billings, Mar 25 Missoula, \$199, SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com), [enroll@skillpath.net](mailto:enroll@skillpath.net) or 800-873-7545.

**Occupational Safety & Health Inspections Tools & Techniques**, Mar 19 Billings, Free. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401.

**OSHA Permit Confined Space Entry**, Mar 9 Billings, No Charge. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401.

**Storm Water Pollution Prevention Plan (SWPPP), How To Write and Implement a**, Apr 2 Butte, \$50, MCA and DEQ Small Business Assistance Program, 406-442-4162.

**Today's OSHA: A Compliance Update**, Mar 31 Missoula, Apr 1 Great Falls, Apr 2 Helena, Apr 3 Bozeman, Apr 4 Billings, \$189, Key Productivity Center, [www.keyetrain.com](http://www.keyetrain.com) or 800-258-7246.

**Trenching & Excavation**, Mar 24 Missoula, No Charge. OSHA, [www.montanasafety.org](http://www.montanasafety.org) or 406-444-6401.

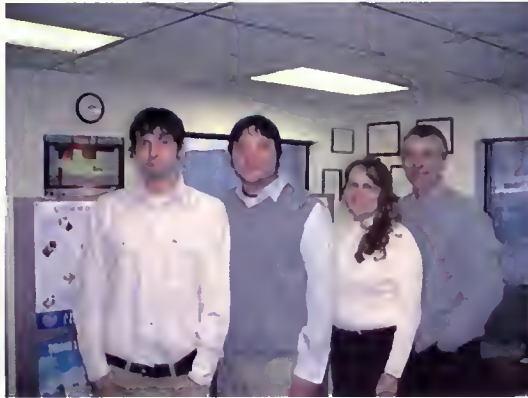
**What Do You Mean Tear Them Out and Start Over?** Mar 10 Great Falls, No Charge. MDT Civil Rights Bureau, [trueaton@state.mt.us](mailto:trueaton@state.mt.us) or 406-444-6331. Course designed for building ADA accessible features on MDT projects.

**Workers' Compensation in Montana**, Mar 21 Billings, \$279, Lorman Education Services, [www.lorman.com](http://www.lorman.com) or 715-833-3959.

**Workplace Behavior & Conflict Management**, Mar 9 Billings, Mar 10 Bozeman, Mar 11 Missoula, AEM Member \$95, Non-member \$125, Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178.



## Newly Certified DBE Companies



Blaine Chapel, Patrick Chapel, Teri Noland, Roy Noland  
Air Specialists, Inc., Billings, MT



Lora Butler, Rockin JL Specialties, Saco, MT

## BLM/GSA Workshops, Feb 2004, Billings, MT



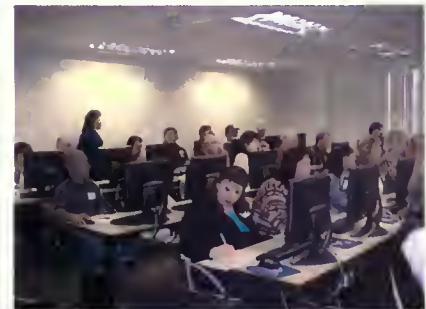
Jason Porch and Adam Steadman  
Montana PTAC, Billings, MT



### \* FREE SERVICE \*

If you are bidding on any government contracts, you need to contact MT PTAC. Call DBE Supportive Services (800-883-5811) for the closest PTAC office information.

Procurement Technical Assistance Program (PTAC), provides businesses with the marketing know-how and technical tools needed to put bids together, read solicitations, find contracting opportunities for all government agencies.



## BLM & GSA Workshops in February...

BLM & GSA workshop information handout copies are available. Great handouts for contractors, call our office for a copy today.

BLM typical types of contracts are for gravel roads, earthen dams, recreation areas, bridges, radio towers, and fence. We have a packet of contract documents for BLM federal projects for your consideration —just ask for the packet.

Remember Montana PTAC can help you get your business on the GSA Schedule. Call Today!!

## MDT Employees at Ft. Belknap Career Fair Feb 2004



Wally Mummey, Tom Nicholson— Havre Office

## Quote of the Month

People forget how fast you did a job - but they remember how well you did it.

*Howard Newton*

## **MDT Highway Construction Projects Invitation for Bids, Letting of March 25, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on March 25, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **North of Stevensville Wye – Florence, Federal Aid Project NH 7-1(93)68F** Grading, gravel surfacing, plant mix bituminous surfacing, electrical, landscaping, four structures and improvements, 9.41 km on US 93 in Ravalli County. DBE contract goals are 3.5%.
2. **Forsyth – East & West (WB), Federal Aid Project IM 94-3(58)85** Mill, fill, plant mix bituminous surfacing, seal and cover on 29.85 km on Interstate 94 in Rosebud County. DBE contract goals are 2.0%.
3. **Wibaux – North & 14 km North of Wibaux – North, Federal Aid Project SFCS 261-1(6)0 & STPS 261-1(8)9** Plant mix overlay with seal and cover 4 km on Secondary 261 in Wibaux County. Grading, plant mix surfacing and seal and cover 7.3 km on Secondary 261 approximately 14km north of Wibaux.
4. **Shelby – North & South, Federal Aid Project IM 15-8(60)354** Cold milling, PMBS and seal & cover on 18.2 km of the Shelby 1-15 in Toole County.
5. **13km South of Big Timer – South, State Project SFCS 298-1(10)8** Seal and cover and pavement markings on MT Secondary 298 in Sweet Grass County.
6. **Glendive South, Federal Aid Project STPS 335-1(14)0** Leveling, plant mix overlay, seal and cover on 13.1 km on State Secondary Route 335 in Dawson County.
7. **Hilger – East, Federal Aid Project STPP 43-1(24)15** Mill, fill, seal and cover, and pavement markings on 18.7 km of State Primary Route 43 in Fergus County.
8. **19<sup>th</sup> & Main – Bozeman 2000 – D2- Signing & Electrical, Federal Aid Project CM-STPP 50-2(37)88, STPHS 16(47) & STPHS 1299(21)** Grading, gravel surfacing, plant mix bituminous surfacing, storm drain, sewer line, intersection improvements and signals, sidewalk, curb and gutter, and signing. North 19<sup>th</sup> Avenue and Beall Street, and Willson Avenue and Olive Street.
9. **Whitetail Creek – Whitetail, Federal Aid Project BR 511-1(5)6** Construction of 24.0-meter pre-stressed concrete beam bridge, grading, surfacing, and seal and cover on Secondary 511 in Daniels County.
10. **Jct. Sec. 548- North, State Project SFCS 424-1(5)6** Cold milling, PMS overlay, and seal and cover on 12.41 km of the Jct. Sec. 548- North project in Flathead County.
11. **Frying Pan Gulch – 8 km North of Dillon, Federal Aid Project BR 81001(3)** Remove 20.1 m concrete structure and replace with double SSPPA culver in Beaverhead County. Includes grading, gravel and plant mix approaches.
12. **White Sulphur Springs – NW & Newlan Creek Road, Federal Aid Project STPS 360-1(4)0 & STPS 259-1(5)0** Guardrail and seal & cover on State Secondary Route 360 in White Sulphur Springs extending 14.4km in Meagher County.
13. **Townsend – East & Montana City – South, Federal Aid Project STPP 14-1(16)0 & STPS 282-1(7)0** Seal and cover on State Primary Route 14 in Broadwater County and at Montana City.
14. **4 km North of Columbus – North, State Project SFCS 306-1(12)2** Seal and cover and pavement markings on Montana Secondary 306 on 4km North of Columbus in Stillwater County.

*This is an excerpt from the article 'On Track with MDT', written by Dave Galt, Director of MDT, which appeared in the Montana Contractor News, January 2004.*

MDT is working to develop Site Manager, a system that will enable us to manage projects from pre-construction through final payment. Implementing online bidding through Bid Express will be key, as will adding modules such as DSS, a statistical analysis program. We will keep you apprised of our progress in 2004: developing these services will not only save both MDT and the contracting community time and money, but they will also provide analytical capabilities that were previously unavailable.

As we move forward, we'll need your input on how these services are working, and we'll be counting on you for honest feedback. Working together is the only way we can improve our bidding process and become more efficient—and that is key to staying "on track" with you, the future of MDT.



## More MT Contracting Opportunities

**Kalispell Armed Forces Reserve Center**, DMA #300129, Bid Date: March 31, 2004, Bid documents available at A&E Architects, 406-721-5643.

**Eden Bridge Replacement**, Cascade County, MT, Bid Date: March 26, 2004, Demolition of existing Eden Bridge and construction of a new bulb-tee prestressed bridge. Bid documents are on file at County Commissioners office in Great Falls, Builders' Exchanges (Great Falls, Helena, Billings, Missoula), and Thomas, Dean & Hoskins 1200 25<sup>th</sup> Street, Great Falls (\$50.00 refundable per set).

**Roof Repairs** – Patch, Coat, Seal Various Buildings, Montana State University-Northern, Havre, MT, Bid Date: March 24, 2004, Bid documents available at Prairie Wind Architecture, Lewistown, MT 406-538-2201. Refundable deposit of \$75.00 per set. Pre-bid walkthrough is March 16<sup>th</sup> at 1:00pm.

**Bozeman Wastewater Treatment Plant Improvements**, Bid Date: March 30, 2004. Excavation, Trenching, Backfill, Roofing, Plumbing, Electrical. Minority Business Enterprise (MBE) Goal is 2% and Women business Enterprise (WBE) is 3%. Bid documents available at Morrison-Maierle, 910 Helena Avenue, Helena, MT 406-442-3050. Non-refundable deposit of \$80.00 per set. Bid Documents also available at City Engineer's office at 20 East Olive, Bozeman and other Morrison-Maierle offices, Plan Exchanges, Pre-bid conference on March 19<sup>th</sup> at 1:00pm at 255 Moss Bridge Road.

**MT Dept of Transportation**, 307069, Bridger Rest Area Maintenance, Bid Date: March 30, 2004

**MT Dept of Transportation**, 307071, Dupuyer Rest Area Maintenance, Bid Date: March 30, 2004

**MT Dept of Transportation**, 307068, Hathaway Rest Area Maintenance, Bid Date: March 19, 2004

**MT Dept of Transportation**, 307067, Flowing Wells Rest Area Maintenance, Bid Date: April 2, 2004

**MT Dept of Transportation**, 307082, Pavement Overlay 5 Miles west of Superior, Bid Date: Mar 18, 2004

**MT Dept of Transportation**, 307084, Jefferson City Rest Area Maintenance, Bid Date: Mar 30, 2004

**MT Dept of Transportation**, 307087, Grade 4A Chips North of Roundup, Bid Date: Mar 23, 2004

**MT Dept of Transportation**, 307088, Paver & Milling Machine Rental, Bid Date: Mar 17, 2004

<http://www.mdt.state.mt.us/bids/bids.htm>

**Dept of Natural Resources and Conservation**, 045340CSW, McGinnis Pipe Thinning, Tree thinning work, Bid Date: March 25, 2004 <http://www.discoveringmontana.com/doa/GSD/osbs/Default.asp>

**Concrete Extension for Goose Bay**, 04SQ670018, Bid Date: March 22, 2004, Bureau of Reclamation. All work to provide a concrete extension for the Goose Bay Ramp at Canyon Ferry Reservoir at Townsend, MT. Tom Carrillo 406-247-7301. <http://www1.epa.gov/spg/DOI/BR/BR/04SQ670018/listing.html>

**Rock Creek Trail Bridge**, Presolicitation RFQ-14-04-015, Bid Date: May 3, 2004, Kootenai National Forest, Libby, MT. Removal of the old trail bridge and replacement of a new trail bridge along the Rock Creek Trail. Judi Foss, 406-283-7640 [r1\\_kootenai\\_contracting@fs.fed.us](mailto:r1_kootenai_contracting@fs.fed.us) <http://www1.epa.gov/spg/USDA/FS/03J1/RFQ%2D14%2D04%2D015/listing.html>

**Metal Roofing and Siding**, Lewis and Clark National Forest, Presolicitation R1-15-04-10 Bid Date: April 30, 2004, Replace roofing and siding on 4 buildings & replace gutters and downspouts on 3 buildings. Jan Wenaas, 406 791-7717 or [jwenaas@fs.fed.us](mailto:jwenaas@fs.fed.us) <http://www.epa.gov/spg/USDA/FS/03K0/R1-15-04-10/listing.html>

**Engineering Services**, RFP-244-04-0010-REL, Bid Date: Mar 26, 2004, Indian Health Services, Billings, MT, Conduct field surveys and engineering investigations necessary for completion of assigned construction projects. IHS Contracting Office at (406) 247-7293 or [RLangager@mail.ihs.gov](mailto:RLangager@mail.ihs.gov) <http://www1.epa.gov/spg/HHS/IHS/IHSBILLINGS/RFP%2D244%2D04%2D0010%2DREL/listing.html>

**Natural Resources Conservation Service (NCRS) Mass Media Campaign**, General Services Division, RFP04-798J, Bid Date: Mar 31, 2004 <http://www.discoveringmontana.com/doa/GSD/osbs/Default.asp>

## Montana Trucker's Handbook

The 4<sup>th</sup> edition of the Montana Trucker's Handbook is now available "on line" and in hard copy. The new edition includes updates and new requirements resulting from Montana's 2003 Legislative session, instructions and information about Montana and MDT services, phone numbers of interest to truck drivers and trucking companies, and a comprehensive gross vehicle weight fee chart.



The Handbook may be accessed electronically through the Motor Carrier Services (MCS) web page at [www.mdt.state.mt.us/mcs](http://www.mdt.state.mt.us/mcs)

Hard copies are free and available at all MCS weigh stations, or by contacting MCS at 406-444-7638.

## MONTANA DBE PROGRAM

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager,  
rejohnson@state.mt.us (800) 883-5811

Jeanette Schlenske, DBE Supportive Services Admin.  
Assistant, jschlenske@state.mt.us (406) 444-7287

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-  
7592 [www.mdt.state.mt.us](http://www.mdt.state.mt.us) and click on Civil Rights Bureau

## Inside this issue:

Upcoming Dates , TEA-21, Underground Storage Tank Training, Ekalaka Airport Bid, DBE Goal & Participation	1
DBE Monthly Update, As Read Bid Results	2
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200 copies of this public document were published and distributed at an estimated cost of 49 cents per copy for a total of \$98.00 MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.



DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001

STATE DOCUMENTS COLLECTION

MAR 17 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE  
HELENA, MONTANA 59601



## THE DBE QUARTERLY ACTIVITY REPORT IS

**DUE APRIL 30TH!**

Form at: [www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/)



# Attention!

**Montana DBE**

**Conference is rescheduled for  
October/November**

**DISADVANTAGED BUSINESS ENTERPRISE  
(DBE) GOAL FOR  
MISSOULA INTERNATIONAL  
AIRPORT**



Missoula Airport is soliciting public comment with regard to the proposed DBE goal of 6.65% for all FAA-AIP funded projects in Fiscal Year 2004.

Overall goal submission to the US DOT will include a summary of information and comments received during this public comment process.

The proposed DBE goal and its rationale will be available for inspection during normal business hours at Missoula Airport, 5225 Hwy 10 W, Missoula, MT 59808. The proposed goal will be available for inspection for 30 days following the date of this notice. Missoula Airport and the DOT will accept comments on the goal for a period of 45 days from the date of this notice. Written comments will be accepted at the above address.

ORGANIZATIONS

## Upcoming Dates

MDT Bid Letting Apr 29, 2004

Davis Bacon / Title-6 Training

Apr 14, 2004—Butte

Apr 21, 2004—Great Falls

Apr 28, 2004—Missoula

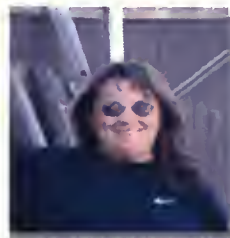
Underground Storage Tank Training

Apr 14 & 15—Helena



**Craig Smith**, Director for the Tribal Business Information Center (TBIC) at the Fort Peck Community College for the past four years was awarded the 2004

Small Business Administration Minority Small Business Advocate of the Year! More info about Craig Smith is on page 5.



**Nancy Warneke-Gaynor**, former TBIC Director at Salish Kootenai Reservation and now owner of Gaynor's RiverBend Ranch, has been appointed to the

US Small Business Administration Region 8 Regulatory Fairness Board!

## DBE GOAL & PARTICIPATION... (For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 6.67%

MDT has posted this information on the Contractor's System web page at <http://www.mdt.state.mt.us/cntrct/contract.htm>





## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

Advanced Technologies Integration, Minneapolis, MN Owner: Lenny Huie  
 B. Fritch Trucking, Pocatello, ID Owner: William Fritch  
 Project Engineering Consultants, Phoenix, AZ Owner: Larry Maldonado

### Recently Re-Certified DBE Companies

Kristin Darr & Associates, LLC, Phoenix, AZ Owner: Kristin Darr  
 Northwest Research Consultants, Helena, MT Owner: Linda D. Priest

## As Read MDT March 25, 2004 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars / %	
NH 7-1 (93) 68 F N of Stevensville WYE - Florence	Schellinger Construction	\$10,836,412.66	\$385,844.56	3.56%
IM 94-3 (58) 85 Forsyth - East & West (WB)	Prince, Inc.	\$2,943,531.68	\$700,340.81	23.79%
SFCS 261-1 (6) 0, STPS 261-1 (8) 9 Wibaux - North, 14 KM North of Wibaux - North	Border States Paving, Inc.	\$2,960,786.71	\$317,231.11	10.71%
IM 15-8 (60) 354 Shelby - N & S	Helena Sand & Gravel, DBA Blahnik	\$1,399,999.89	\$130,858.40	9.35%
STPS 335-1 (14) 0 Glendive - South	Prince, Inc.	\$1,282,410.64	\$286,293	22.32%
STPP 43-1 (24) 15 Hilger - East	Century Companies, Inc.	\$1,125,844.99	\$39,453	3.50%
CM-STPP 50-2 (37) 88, STPHS 1299 (21), STPHS 16 (47) 19th & Main - Bozeman, 2000-Signing & Electrical - Bozeman, 2000-D2-Signing & Electrical	JTL Group, Inc. - Belgrade	\$2,266,446.40		
BR 511-1 (5) 6 Whitetail Cr - Whitetail	Sletten Construction Co.	\$673,427.20	\$12,997	1.93%
SFCS 298-1 (10) 8 13 KM South of Big Timber South	JTL Group, Inc. - Billings	\$160,160.60		
SFCS 424-1 (5) 6 JCT S-548 - North	JTL Group, Inc. - Kalispell	\$648,541.48		
BR 81001 (3) Frying Pan Gulch-8 KM North of Dillon	Smith Contracting	\$368,593.27		
STPS 259-1 (5) 0, STPS 360-1 (4) 0 Newlan Creek Road, White Sulphur Springs-NW	Riverside Contracting, Inc.	\$317,049.16		
STPP 14-1 (16) 0, STPS 282-1 (7) 0 Townsend-East, Montana City-South	Jim Gilman Excavating, Inc.	\$220,087.20		
SFCS 306-1 (12) 2 4 KM North of Columbus - North	JTL Group, Inc. - Billings	\$87,077		



## Montana Department of Transportation

# WORK ZONE SAFETY

Written by MDT Helena Traffic Safety Management employees:  
Michael Johnson, EI, and Pierre Jomini, P.E.



Work zones are a necessary inconvenience to the traveling public, as drivers must obey reduced speed limits, occasionally follow a detour and sometimes stop and wait at a flagger station or temporary traffic signal. Temporary traffic controls warn, regulate and guide traffic through work zones. Construction activities, maintenance operations, utility work and incident management zones call for temporary traffic controls: there are potential dangers and distractions through work zones, and road users may encounter unexpected or unusual situations.

**Graph 1** shows the number of crashes in Montana coded in construction zones for the years 1998 through 2003. According to Montana Highway Patrol records, the number of work zone crashes reached 500 in 1999. During the years 2001 to 2003 the number of crashes has varied little, ranging from 255 to 264.

**Graph 2** illustrates the number of persons killed and injured in Montana construction zones for the years 1998 through 2003. According to Montana Highway Patrol records, during this six-year period, the highest number of injuries and fatalities was 245 in 1999; during 2003, it dropped to 149. The most common reasons for work zone crashes are:

- ✓ Inattentive/careless driving
- ✓ Speed too fast for conditions
- ✓ Failure to yield
- ✓ Following too close

The highest numbers of work zone crashes occur between April and October, coinciding with the peak road construction season. Most work zone accidents occur during daytime on dry roads in good weather. Motorcyclists should pay close attention in work zones, as pavement conditions may be rougher.

While the Montana work zone safety group would like to see zero crashes in work zones, it has set two goals for reducing the number of accidents in Montana work zones:

- 1) Reduce work zone crashes in 2005 by 20% compared to 2002 work zone crashes.
- 2) Reduce work zone fatalities and injuries by 30% compared to the 2002 data.

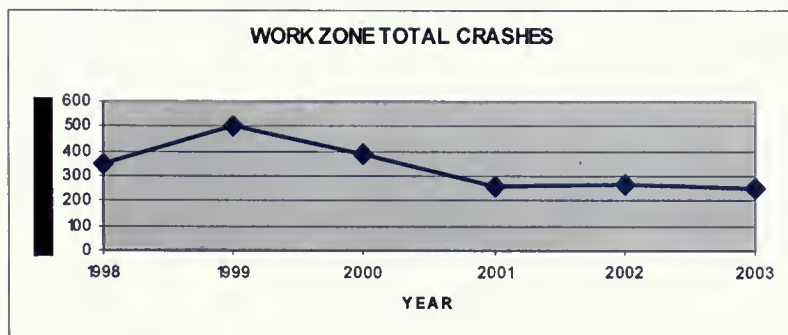
These goals are achievable and will take a concerted effort by everyone: drivers, contractors, road workers, flag persons, enforcement personnel, politicians, media and engineers.

In recent years, steps have been taken to make work zones safer. For example, the Montana Legislature has approved doubling fines in work zones and clarified state laws in regard to construction activities. Media campaigns have been used to alert drivers to slow down through work zones. Working with the Local Technical Assistance Program at Montana State University, Montana has developed a flagger certification program.

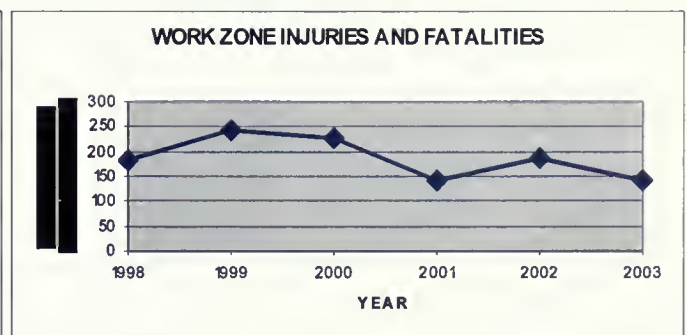
Construction workers need to keep in mind that, while they have an important job to complete, they must ensure the safety of the public, the safety of their co-workers and their own safety. Drivers should follow these safety tips when entering a work zone:

- Stay alert: dedicate your full attention to the roadway.
- Follow and obey traffic control devices.
- Keep a safe distance from the car ahead.
- Avoid distractions in the vehicle.
- Above all, drive defensively at all times.

*With everyone's support we can make work zones a safer place to work and drive!*



Graph 1. Construction Zone Crashes



Graph 2. Work Zone Injuries and Fatalities



## Hiring: Review teen work hours; feds hunting child-labor violators

**Issue:** U.S. Labor Department is on the prowl for teen-labor violations.

**Risk:** Labor wants to increase fines from \$11,000 per violation to \$50,000, and to impose penalties as high as \$100,000 for willful or repeat violations.

**Action:** Assign a child-labor coordinator to make sure you comply with federal, state laws.

If you've hired seasonal help recently, make sure your organization is complying with federal and state work laws for teen employees. **Reason:** Child-labor investigations by the U.S. Labor Department jumped to a six-year high in 2002 and are expected to climb again.

**Example:** A Utah theater chain recently got slapped with a \$22,230 fine for keeping teens working too late into the evening.

The feds are becoming creative in their enforcement tactics. Labor Department inspectors, for example, now ask school districts to identify local businesses that hire lots of teens. Then, the agency keeps a watchful eye to make sure they comply.

And its Youth Rules campaign includes a Web site, [www.youthrules.dol.gov](http://www.youthrules.dol.gov), that teaches teens and their parents how to report child-labor violators.

Also, your financial risk is increasing. Labor is pushing Congress to increase the maximum child-labor penalty from the current \$11,000 per violation to \$50,000, and to \$100,000 for willful or repeat violations. Labor will likely get its wish.

**Federal law:** Children 13 and under are off-limits to employers, except for certain odd jobs such as delivering newspapers or baby-sitting.

Youth's ages 14 and 15 can work outside school hours in certain **non-hazardous** jobs, but their hours are limited to three hours on a school day, 18 in a school week, eight on a non-school day and 40 in a non-school week. Also, they can work only between 7 a.m. and 7 p.m. during the school year. The nighttime limit extends to 9 p.m. in summer. The law says 16 and 17 year-olds can work unlimited hours, but not in certain hazardous jobs.

Go to [www.dol.gov/dol/topic/youthlabor/hazardousjobs.htm](http://www.dol.gov/dol/topic/youthlabor/hazardousjobs.htm) for a list of off-limits jobs. Once workers reach age 18, they can work any job for unlimited hours.

Also, check your state laws. Many apply stricter child-labor standards.

Review state laws by going to [www.dol.gov/esa](http://www.dol.gov/esa) and clicking on "State Labor Laws" (right side of page). Also, check whether your state requires work permits or proof-of-age certificates for teens by going to [www.dol.gov/esa/programs/whd/state/certification.htm](http://www.dol.gov/esa/programs/whd/state/certification.htm).

- The HR Specialist - National Institute of Business Management, February 2004

## Policies: Avoid the top 10 mistakes in employee handbooks

**Issue:** Poorly written handbooks open your company to countless lawsuits.

**Risk:** ADA, FLSA, FMLA, sexual harassment, racial and gender discrimination are just sources of trouble.

**Action:** Audit your employee handbook for these 10 common errors.

Employee handbooks can be great tools to help you lay down policies and comply with the law. But a poorly written, outdated or inconsistent book can hurt your company. **The biggest problem:** While workers are typically employed on an "at will" basis, meaning the employer can fire them at any time for any nondiscriminatory reason, companies often include handbook language that wipes out their right to fire at will.

Here are the 10 most common handbook mistakes to avoid:

1. **Adopting a "form" handbook**, which includes promises you'll probably never keep and provisions that have nothing to do with your company.
2. **Including lots of detail** on procedures, which confuses employees and provides fodder for lawyers. Stick to company policies in the book. Keep separate procedures manual for managers.
3. **Mentioning an employee probationary period.** That can erase at-will status by implying that, once the period is over, the employee can stay forever.
4. **Being too specific** in your discipline policy (listing possible infractions and consequences of each). That gives the impression that the list covers every possible infraction and consequence.
5. **Not being consistent** with other company documents.
6. **Overlooking an at-will disclaimer.** Have employees sign a disclaimer acknowledging that the company can terminate their employment at any time and bypass discipline policies if the situation warrants.
7. **Sabotaging disclaimers by what you say**, especially reassuring employees that their jobs are secure.
8. **Not adapting the handbook to accommodate each state's laws.**
9. **Failing to update** the manual frequently for changing laws.
10. **Setting unrealistic policies.** If you know your supervisors won't enforce it, don't put it in your handbook.

- The HR Specialist, National Institute of Business Management, February 2004



# April Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
				<b>1</b>	<b>2</b>	<b>3</b>
<b>4</b>	<b>5</b> > Defensive Driving, Blgs	<b>6</b>	<b>7</b> > Davis Bacon/Title6 Training, Blgs > Hazwoper 8HR Refresher, Blgs > Intro to Excel, Hlna	<b>8</b> > Adv. Trenching & Excavation Req., (Apr 8-9) Blgs	<b>9</b>	<b>10</b>
<b>11</b>	<b>12</b> > MT Assoc. County Road Supervisors Conference, (Apr 12-15) Bzm	<b>13</b> > What the Heck in an LLC?, Hlna	<b>14</b> > Davis Bacon/Title6 Training, Butte > Int./Adv. Quickbooks 2002, (Apr 14-15) Kspl	<b>15</b> > Dealing w/Unacceptable Employee Behavior, Hlna	<b>16</b> > 5 Dysfunctions of a Team, Kspl > Dealing w/Unacceptable Employee Behavior, Blgs > Equal Employment Opportunity, Kspl	<b>17</b>
<b>18</b>	<b>19</b> > Quickbooks Job Costing, Kspl	<b>20</b> > Performance Mgmt & Termination, Blgs	<b>21</b> > Assistance for Business Clinic, Livingston > Adv. Troubleshooting, Maintaining & Upgrading PCs, (Apr 21-22) Helena > Davis Bacon/Title6 Training, Gt.Falls > Int. Quickbooks, Hlna > Microsoft XP, Upgrade Features, (Apr 21 & 28) Kspl > OSHA 10HR General Industry, (Apr 21-22) Msla > Performance Mgmt & Termination, Bzm	<b>22</b> > Performance Mgmt & Termination, Msla	<b>23</b> > Conflict Management Skills for Women, Msla > Performance Mgmt & Termination, Gt.Falls	<b>24</b> > Boot Camp for Small Business Owners, Kspl
<b>25</b>	<b>26</b>	<b>27</b>	<b>28</b> > Davis Bacon/Title6 Training, Msla > Ergonomics, Blgs > MEDA Spring Conference, (Apr 28-30) Butte	<b>29</b> > Health Related Issues in Construction & General Industry, Blgs > Project Mgmt Foundation, Kspl	<b>30</b>	<b>1</b>
<b>2</b>	<b>May 3</b>	<b>May 4</b> > Facilitating Staff Training, Kspl > Employee Record Keeping in MT, Msla	<b>May 5</b> > Assistance for Business Clinic, Havre > Employee Record Keeping in MT, Bzm	<b>May 6</b> > Bookkeeping w/Quickbooks 2002, (May 6 & 13) Kspl > Employee Record Keeping in MT, Blgs	<b>May 7</b>	<b>8</b>

**2004**

\* Hlna – Helena, Blgs – Billings, Bzm – Bozeman, Msla – Missoula, Kspl – Kalispell, Gt.Falls – Great Falls

**Assistance for Business Clinic**, Apr 21 Livingston, \$30. Job Service, [www.state.mt.us/revenue/content/3forbusiness/05taxassistance/2004\\_clinic\\_schedule.pdf](http://www.state.mt.us/revenue/content/3forbusiness/05taxassistance/2004_clinic_schedule.pdf) or 406-222-0520. May 5 Havre, \$25. Chamber of Commerce, 406-265-4383. Up-to-date info on employment, tax laws, tax credits and services available at your local Workforce Centers.

**5 Dysfunctions of a Team: A Leadership Fable**, Become an Employer of Choice Brownbag Series, Apr 16 Kalispell, FREE. Flathead Regional Business Ctr., [mmcarthy@state.mt.us](mailto:mmcarthy@state.mt.us) or 406-758-6241.

**Advanced Trenching & Excavation Requirements**, Apr 8-9 Billings, FREE MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401.

**Advanced Troubleshooting, Maintaining & Upgrading PCs**, Apr 21-22 Helena, \$895. CompuMaster, [www.compumaster.net](http://www.compumaster.net) or 800-867-4340. A comprehensive hands-on workshop to learn how to quickly and effectively diagnose and fix hardware and software problems, perform system and program upgrades to boost PC performance.

**Bookkeeping with QuickBooks 2002**, (2) 3HR Classes May 6 & May 13 Kalispell, \$64. Flathead Valley Community College, [www.fvcc.edu/](http://www.fvcc.edu/) or 406-756-3832. Complete overview for setting up your business chart of accounts, accounts receivable, and accounts payable.

**Boot Camp for Small Business Owners**, Apr 24 Kalispell, \$94. Flathead Valley Continuing Education Ctr., [www.fvcc.edu/about\\_fvcc/outreach.shtml](http://www.fvcc.edu/about_fvcc/outreach.shtml) or 406-756-3832. Tools, guidelines, and practical information necessary to successfully operate your business on a day-to-day basis.

**Conflict Management Skills for Women**, Apr 23 Missoula, \$99. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545.

**Davis Bacon/Title-6 Training**, Apr 7 Billings, Apr 14 Butte, Apr 21 Great Falls, Apr 28 Missoula, FREE. MDT and MCA, [jamphillips@state.mt.us](mailto:jamphillips@state.mt.us) or 406-444-6045.

**Dealing Effectively with Unacceptable Employee Behavior**, Apr 15 Helena, Apr 16 Billings, \$149. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545.

**Defensive Driving**, Apr 5 Billings, MSSC Member \$75, Non-Mbr \$100. MT Safety Services Council, [www.mssc.org](http://www.mssc.org) or 406-248-4893.

**Employee Record Keeping in Montana**, May 4 Missoula, May 5 Bozeman, May 6 Billings, AEM Member \$145, Non-Member \$195. Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178. Course intended to assist Montana employers with the information needed to maintain records and reduce liabilities.

**Equal Employment Opportunity**, Apr 16 Kalispell, \$94. Flathead Valley Continuing Education Ctr., [www.fvcc.edu/about\\_fvcc/outreach.shtml](http://www.fvcc.edu/about_fvcc/outreach.shtml) or 406-756-3832. Info on reasonable accommodation, sexual harassment, the EEO compliance process, affirmative action, and more.

**Ergonomics**, Apr 28 Billings, FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. An introduction to the principles of ergonomics and provides information needed to help prevent workplace ergonomic related injuries.

**Facilitating Staff Training, Cultivate Stellar Business Performance**: Become an Employer of Choice Brownbag Series, May 4 Kalispell, FREE. Flathead Regional Business Ctr., [mmcarthy@state.mt.us](mailto:mmcarthy@state.mt.us) or 406-758-6241.

**HAZWOPER 8HR Refresher**, Apr 7 Billings, MSSC Member \$100, Non-Member \$150. Montana Safety Services Council, [www.mssc.org](http://www.mssc.org) or 406-248-4893. Annual training to retain OSHA required re-certification.

**Health Related Issues in Construction & General Industry**, Apr 29 Billings, FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401.

**Intermediate QuickBooks**, Apr 21 Helena, \$75. Presenters: Anderson ZurMuehlen & Co., CPA's & Business Consultants. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

**Intermediate/Advanced QuickBooks 2002**, Apr 14-15 Kalispell, \$64. Flathead Valley Community College, [www.fvcc.edu/](http://www.fvcc.edu/) or 406-756-3832. An in-depth look at accounts payable, accounts receivable, payroll, and inventory.

**Introduction to Excel**, Apr 7 Helena, \$50. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800.

**MEDA 2004 Spring Conference**, Apr 28-30 Butte, \$80. Montana Economic Developers Association, [www.matr.net/article-10232.html](http://www.matr.net/article-10232.html) or 406-563-5259. Innovative tools for enhancing economic development in your area: Mainstreet Dynamics, Tax Increment Tools, Case Study of Federal Programs, and more.

**Microsoft XP: Upgrade Features**, (2) Classes Apr 21 & Apr 28 Kalispell, \$94. Flathead Valley Community College, [www.fvcc.edu/](http://www.fvcc.edu/) or 406-756-3832. Basics of installing removing, and upgrading your software.

**Montana Association of County Road Supervisors (MACRS), 24th Annual Conference & Seminar**, Apr 12-15 Bozeman, \$100. Local Technical Assistance Program, 800-541-6671.

**OSHA 10HR General Industry**, Apr 21-22 Missoula, FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. An overview of how the provisions of the OSH Act may be implemented in the workplace.

**Performance Management & Termination**, Apr 20 Billings, Apr 21 Bozeman, Apr 22 Missoula, Apr 23 Great Falls, AEM Member \$145, Non-Member \$195. Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178. Seminar designed for evaluating employee performance fairly, accurately, and consistently. Learn the tools to understand the fair, right, and legal way to discipline and discharge employees.

**Project Management Foundation**, Apr 29 Kalispell, \$69. Flathead Valley Community College, [www.fvcc.edu/](http://www.fvcc.edu/) or 406-756-3832. Defining, organizing a project, and developing a project master plan.

**QuickBooks Job Costing**, Apr 19 Kalispell, \$34. Flathead Valley Community College, [www.fvcc.edu/](http://www.fvcc.edu/) or 406-756-3832.

**What the Heck is an LLC?** Apr 13 Helena, FREE. Presenters: Dan Anderson, SBDC and Michael Bayuk, SBA District Legal Counsel. Business Resource Center, [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Learn about business structures and the associated tax and legal obligations.



# MDT Adopts New "Indemnification" Language in Contracts

An excerpt from Montana Contractor News, February 2004, edited by DBE-SS staff.

At the request of the MCA, the Montana Department of Transportation (MDT) adopted provisions of legislation passed in 2003 concerning indemnification clauses in non-state construction contracts, and has implemented those provisions in contracts starting with the January 2004 bid letting. Essentially, with some exceptions, the new contract states that each party involved in a construction project - owner, general contractor, subcontractor, supplier - is responsible for its own negligence and cannot be held liable for the negligence of another party.

The new indemnification language in highway construction contracts was a result of cooperative discussions and negotiations between MDT, Transportation Commissioners, the Department of Administration, and the MCA.

The new contract language states: *"SECTION IV: In regard to all duties relating to safety, regardless of whether any such*



*duties are, or are alleged to be, "nondelegable" (e.g., the Montana Scaffolding Act, Montana Safe Place to Work Statute, etc.), as well as matters involving patent, trademark and copyright infringements, Contractor agrees that it will defend, protect, indemnify and save harmless the State of Montana and Department against and from all claims, liabilities, demands, causes of action, judgments (including costs and reasonable attorneys fees), and losses to them from any cause whatever (including any patent, trademark and copyright infringement) arising from the project.*

*This indemnification expressly includes any claim or liability arising from a violation of law, ordinance or regulation, as provided by sections 107.01 and 208 of the specifications. The Contractor assumes all responsibility for ensuring and enforcing safe working conditions and compliance with all safety-related rules and regulations for the benefit of its own employees, the employees of its subcontractors, and the public. This indemnification is expressly intended by the parties to include claims, liabilities, demands, causes of action, judgments (including costs and reasonable attorneys fees), and losses that are, or are alleged or held to be, based upon a breach by the State or Department of a nondelegable duty relating to workplace safety for the Contractor's employees, the employees of any subcontractor's employees, or the public.*

*This indemnification does not extend to CERCLA and CECRA claims, which are addressed in section 107.26 of the specifications. Contractor will be responsible for any and all damages to property or persons that occur before final acceptance of the project. Contractor will obtain and maintain insurance necessary to comply with the specifications.*

*The Contractor shall indemnify, protect and defend the owner (State and Department) from any damage, loss or claim of damage arising from, due to or allegedly due to an action or omission of the Contractor or any of its employees, and further to protect, hold harmless and indemnify the Department and State from any damages, loss, or claims due to or allegedly due to an act or omission of any subcontractor on the project.*

*Other than the above indemnifications, each party shall be liable for its own negligence.*

*As a further requirement of its contract, Contractor shall purchase an Owner's Protective Liability insurance policy on behalf of the owner (State and Department) to be submitted with the contract when executed by the Contractor, with a general aggregate limit of not less than two million dollars and an occurrence limit of not less than one million dollars, to be kept in full force until the project is accepted by the Commission."*

This contract language is in addition to MDT's long standing insurance requirements found in section 107.13 of MDT's specifications, which remains in effect.

## Article on Craig Smith continued from Page 1 ....

Craig worked at the Fort Peck Tribes in their Planning Department as the Economic Development Specialist for 10 years. As TBIC Director, Craig provides training and technical assistance to new and existing businesses, promotes economic and small business development, teaches business entrepreneurship education courses, and manages the Fort Peck Micro Loan Fund (FPMLF). Craig was also the editor of the *Herald-News*, a 3,000-circulation weekly community newspaper, for almost a year. He also has his own business consulting and grant writing business, Chairman Enterprises. Also, he operates his own Black Angus cattle herd within the holdings of his family's farm and ranch southwest of Wolf Point. Craig is currently finishing up his second year of a three-year Masters of Business Administration (MBA) program through Gonzaga University in Spokane, WA.



## **MDT Highway Construction Projects Invitation for Bids, Letting of April 29, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on April 29, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Grant – West & 15 km West of Grant - SW, Federal Aid Project Nos. STPS 324-1(4)13 & SFCS 324-1(2)21.** Grading, gravel, plant mix surfacing, seal and cover on 14 km of the Grant-W project on MT Secondary Rte 324 in Beaverhead Co. Plant mix Overlay, seal and cover on 10.5 km of the 14.7 km W of Grant – SW project on MT Secondary Rte 324 in Beaverhead Co. DBE contract goals are 3.0%.
2. **Missouri River - Craig, Federal Aid Project No. BR 9025(34)** 147.5 m concrete, pre-stressed girder structure, grading, gravel surfacing, plant mix bituminous surfacing, seal and cover on the Missouri River – Craig project in Lewis and Clark Co. DBE contract goals are 2.0%.
3. **Rocker Scale Site & Rocker Interchange - North, Federal Aid Project Nos. IM 15-2(74)122 & STPS 276-1(7)0. IM 15-2(74)122 –** The construction of a new westbound MCS Scale Site 1.6 km east of the existing weigh scale facility on Interstate 15. Grading gravel and paving of the new scale site, new on and off ramps, and the construction of the bldg. with scales, weigh-in-motion weighing equipment and the Advance WIM and PrePass Systems 4.5 km east of the Rocker Interchange on Interstate 15. Grading, gravel, plant mix surfacing and seal and cover on 2.0 km of the Rocker Interchange – North road on MT Secondary 276 in Silver Bow Co. DBE contract goals are 1.5%.
4. **Mosby Rest Area, Federal Aid Project No. NH 57-5(27)159** Construct rest area including: structure, water supply, electrical, sewer, irrigation, landscaping, grading, and surfacing. Roadway widening including: grading, surfacing, seeding, signing and striping on the Mosby Rest Area project in Garfield County.
5. **Statewide Steel Bridge Rehab, Federal Aid Project No. IM-BII 0002(748)** Bridge rehabilitation on Statewide Steel Bridge Rehabilitation in Lincoln, Mineral, Missoula, Lewis and Clark, Cascade, Treasure, Rosebud, Dawson, Roosevelt and Richland Counties.
6. **Porcupine Cr. – 8 km SE of Vananda, Federal Aid Project No. BR 14-6(14)257** Grading, gravel, plant mix surfacing of approaches and construction of a 43 meter pre-stressed concrete beam structure on the Porcupine Creek – 8 km Southeast of Vananda in Rosebud County.
7. **13th St. So. – 10th to 21st – Great Falls, Federal Aid Project No. CM 5215(1)** Grading, gravel surfacing, plant mix bituminous surfacing, storm drain, sidewalk, curb and gutter on the 13th St. South-10th to 21st – Great Falls project in Cascade County.
8. **Manhattan - Dry Creek, Manhattan Interchange – East & Highland - Kagy to Main - Bozeman, Federal Aid Project Nos. STPS 346-1(6)1, STPS 346-1(9)0 & CM 1215(3).** STPS 346-1(6)1 – Cold milling, plant mix overlay, seal and cover, concrete deck and bridge rail improvements on the Manhattan – Dry Creek project in Gallatin County. STPS 346-1(9)0 – Cold milling, plant mix surfacing and seal and cover on the Manhattan Interchange – East project in Gallatin County. CM 1215(3) – Cold Milling, Plant Mix Overlay and seal and cover on the Highland – Kagy to Main – Bozeman project in Gallatin County.
9. **4th Ave. SW – 6th to 3rd St. – Great Falls, 5th St. – Park to 10th Ave. – Great Falls & Park Garden – Fox Farm to 14th – Great Falls, Federal Aid Project Nos. CM 5203(11), CM 5224(2) & CM 5225(4).** CM 5203(11) – Seal and cover on 0.7 kilometers of Urban Route 5203, 4th Ave. SW – 6th to 3rd Street – Great Falls project in Cascade County. CM 5224(2) – Mill, fill, plant mix overlay, seal and cover on 2.0 kilometers of Urban Route 5224, 5th Street S – Park to 10th Ave. S – Great Falls project in Cascade County. CM 5225(4) – Seal and cover on 0.8 kilometers of Urban Route U-5225, Park Garden – Fox Farm to 14th – Great Falls project in Cascade County.
10. **7th – Karrow to Baker – Whitefish & Karrow – 2nd to 7th - Whitefish, Federal Aid Project Nos. CM 12003(2) & CM 12004(1)** CM 12003(2) – Overlay, seal and cover on 1.0 kilometer of the 7th – Karrow to Baker – Whitefish project on U-12003 in Flathead County. CM 12004(2) – Seal and cover on 0.6 kilometers of the Karrow – 2nd to 7th – Whitefish project on U-12004 in Flathead County.
11. **Norris – Northeast, Bozeman – East & Peach – North 7th to Rouse - Bozeman, Federal Aid Project Nos. STPP 84-1(10)0, IM 90-6(104)314 & CM 1204(3).** STPP 84-1(10)0 – Seal and cover on 19.38 kilometers of the Norris – Northeast project on Montana Primary 84 in Madison and Gallatin Counties. IM 90-6(104)314 – Seal and cover on 6.77 kilometers of the Bozeman – East project on Interstate 90 in Gallatin County. CM 1204(3) – Seal and cover on 1.15 kilometers of the Peach – North 7th to Rouse project on U-1204 in Gallatin County.
12. **Truck Route Signs – Billings & D5 – Signal Upgrades, Federal Aid Project Nos. NH-IM-STPU 0002(644) & NH-STPP 0002(709)** Truck Route Signs-Billings – Signing and electrical work at (12) locations in and around Billings on the Truck Route Signs – Billings project in Yellowstone Co. D5-Signals Upgrades – Signing, electrical, sidewalk and other improvements at four locations in the Billings District.
13. **Woody Cr. – 43 km NE of Jordan, Federal Aid Project No. BR 9017(13)** Construction of a new structure and approaches on 0.4± km on Local Route 9017 in Garfield County.
14. **Turn Bays North of Hamilton, Federal Aid Project No. STPS 269-1(28)1** Grade, gravel, plant mix surfacing, turn bays and water main extension on the Turn Bays North of Hamilton project in Ravalli County.
15. **Blaine County Line - North, Federal Aid Project No. STPP 66-2(5)11** Plant mix overlay, leveling, seal and cover on State Primary Route 66, located on the Fort Belknap Indian Reservation.
16. **I-15 Slide – South of Shelby, Federal Aid Project No. ER 15-8(59)356** Embankment slope repair on 0.4 kilometers of the southbound lane of Interstate 15 in Toole County.
17. **2000-Guardrail-35 km E. Denton, Federal Aid Project No. STPIIS 81-1(12)36** Guardrail, fencing and signing on 0.17 km of State Primary Route 81 in Fergus County.



## More MT Contracting Opportunities

**River Drive Landscaping**, Great Falls, MT, Bid Date: Apr. 7, 2004. Bid documents available at Neil Consultants, Inc., 406-453-5478

**Wastewater Treatment Plant**, Lewistown, MT, Bid Date: April 8, 2004. Bid documents available at Robert Peccia & Associates, 406-447-5000.

**Entrance Avenue Interceptor**, Lewistown, MT, Bid Date: April 8, 2004. Bid documents available at Robert Peccia & Associates, 406-447-5000.

**Replace Upsize Water Lines in Capehart Housing**, Malmstrom AFB, MT, Bid Date: April 14, 2004. Bid documents available from Craig Heinrich, 406-731-3744.

**Mineral County Airport Improvements**, Superior, MT, Bid Date: April 15, 2004. Bid documents available at Stelling Engineers, Inc., 406-452-8600.

**8 Wells South—MT**, Pre-solicitation ESQ040029, Construct eight (8) wells. Bid Date: May 11, 2004. BLM Montana, Posted on April 12, 2004 [www.epa.gov/spg/DOI/BLM/MT/ESQ040029/listing.html](http://www.epa.gov/spg/DOI/BLM/MT/ESQ040029/listing.html) Charlene Gunther 406-896-5195.

**Billings Airport Cabling**, Presolicitation ESQ040030, Communication utility line cabling project at the Billings, MT Airport. Bid Date: May 18, 2004. BLM Montana, Posted on April 19, 2004 [www.epa.gov/spg/DOI/BLM/MT/ESQ040030/listing.html](http://www.epa.gov/spg/DOI/BLM/MT/ESQ040030/listing.html) Charlene Gunther 406-896-5195.

**Archeological Data Recovery**, Pre-solicitation Q1580040318, Mitigate continuing impacts of erosion by seasonal flooding of the Yellowstone River. Bid Date: May 15, 2004. Dept. of the Interior National Park Service, Posted on April 15, 2004 [www.epa.gov/spg/DOI/NPS/APC-IS//Q1580040318/listing.html](http://www.epa.gov/spg/DOI/NPS/APC-IS//Q1580040318/listing.html) Mark Davidson 307-344-2080.

**Gravel Crushing, Lewis and Clark National Forest**, Pre-solicitation R1-15-04-12, Gravel crushing and stockpiling on the Jefferson Division located near the community of Neihart, MT in Cascade Co. Bid Date: June 1, 2004. Dept. of Agriculture Forest Service, Posted in May 2004 [www.epa.gov/spg/USDA/FS/03K0/R1-15-04-12/listing.html](http://www.epa.gov/spg/USDA/FS/03K0/R1-15-04-12/listing.html) Jan Wenaas 406-791-7717.

**MT Dept of Transportation**, 307124, Madison River Bridge Repair, Bid Date: April 16, 2004

**MT Dept of Transportation**, 307137, Harlowton North Pavement Overlay, Bid Date: April 20, 2004

**MT Dept of Transportation**, 307133, Bad Route Rest Area Maintenance, Bid Date: May 13, 2004

**MT Dept of Transportation**, 307129, Dearborn Rest Area Maintenance, Bid Date: May 7, 2004

**MT Dept of Transportation**, 307126, Lawn Fertilization & Weed Control, Bid Date: April 13, 2004

**MT Dept of Transportation**, 307123, Vista Point Rest Area Turnout Maintenance, Bid Date: April 23, 2004

**MT Dept of Transportation**, 307125, Broadus Rest Area Maintenance, Bid Date: April 23, 2004

**MT Dept of Transportation**, 307112, King Avenue Ground Maintenance, Bid Date: April 22, 2004

**MT Dept of Transportation**, 307117, Raynolds Pass Rest Area Maintenance, Bid Date: April 15, 2004

<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

**Montana Wetlands Legacy Projects**, SPB04-878P, Bid Date: May 19, 2004. MT Dept of Fish, Wildlife and Parks, Design and construction of wetland, stream, and other aquatic restoration, enhancement and development projects throughout Montana, General Services Division, 406-444-2575 <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

**Keene Coal Mine Cleanup Project**, Musselshell County, Bid Date: April 22, 2004. Clean up debris, dispose of coal slack, close mine openings. Pre-bid conference is April 13, 2004. Contact MT Dept of Environmental Quality at 406-841-5026 for planholders list or copy of plans.

**Joslyn Street Reconstruction**, Project 03-10, City of Helena, Bid Date: April 13, 2004. Reconstruction of 980 lineal feet of roadway surface on Joslyn Street includes curb & gutter installation and asphalt seal coat work. Pre-bid conference is April 6, 2004. For plans or planholders list call Helena City Engineer Ryan Leland, PE.

**McHugh Lane Improvements Special District 418**, City of Helena, Bid Date: April 13, 2004. Reconstruction of 2180 lineal feet of roadway surface, curb & gutter installation, sidewalks, asphalt bikeway. Pre-bid conference is April 6, 2004.

**Manhole Rehabilitation 2004**, Project No. 04-10, City of Helena, Bid Date: April 13, 2004. Rehabilitation of 28 brick sanitary sewer manholes, includes traffic control, clean-up. Pre-bid conference is April 13, 2004.

**Painting of the outside of the Shelby High School**, Shelby, MT, Bid Date: April 30, 2004. Contact Shawn Clark, Principal at Shelby High School for specs and further information.

**Washington Gulch Road Reclamation Project**, near Avon, MT, IFB504051A, Bid Date: April 23, 2004. Reclaim .33 miles of bypass road and scatter woody debris along the creek. MT Dept of Environmental Quality, Pete Strazdas, 406-444-4962. <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

**City of Billings, Water Service Replacement Project**, Bid Date: April 6, 2004. Sidewalks, Curb & Gutter, Driveways, Fire Hydrants Project & Street. Maintenance Project Bid Date: April 13, 2004 <http://ci.billings.mt.us/Online/rfp.php>

## MONTANA DBE PROGRAM

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager,  
rejohnson@state.mt.us (800) 883-5811

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592 www.mdt.state.mt.us and click on Civil Rights Bureau

## Inside this issue:

Upcoming Dates , Quarterly Activity Report Due, DBE Conference Rescheduled, DBE Goal for Missoula Airport, Congratulations, DBE Goal & Participation	1
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Hiring: Review teen work hours; feds hunting child-labor violators, Policies: Avoid the top 10 mistakes in employee handbooks	4
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DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001



STATE DOCUMENTS COLLECTION

2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59601



**LOOK**

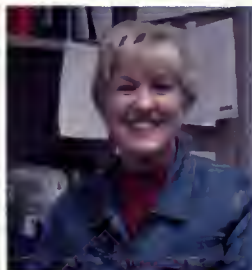
**HAVE YOU SEEN  
OR HEARD?**



Starting April 2004, the on-line DBE Newsletters now have direct links to web and email addresses.

Just a click .....will take you to the internet document of your choice at <http://www.mdt.state.mt.us/civilrights/>

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Elaine Hodgkin is now working in the DBE Supportive Services office with Rebecca Johnson. She is "willing and able" to assist DBE companies.

Elaine brings over 25 plus years of experience in office administration and is eager to help DBE's with any administrative needs. She is proficient with the Microsoft software applications (*Excel, Word, Power Point and Publisher*) and can help you with setting up spreadsheets for tracking activities, creating flyers and/or brochures, business cards, etc. Please call or email Elaine if you need assistance. (800) 883-5811

[ehodgkin@state.mt.us](mailto:ehodgkin@state.mt.us)



## INVITATIONS TO BID

**West Aviation Ramp Rehabilitation  
Project—Bert Mooney Airport,  
Butte MT**

**DBE Project Goal is .65%  
Bid Date: May 13, 2004**

**Construction of New Snow Removal  
Equipment Building Project  
Bert Mooney Airport, Butte, MT  
No DBE Project Goal  
Bid Date: May 27, 2004**

**Overall Bert Mooney Airport DBE Goal is 4.6%**

## ALL CONSULTANTS !

MDT is requesting statement of qualifications (SOQ) proposals from consulting firms specializing in highway design and rehabilitation work. This is regarding the Consultant Pre-Qualification list for Highway Project Development.

To be included on the this pre-qualification list, *your proposal must be submitted to MDT by May 19, 2004.*

Please call DBE Supportive Services Office at 800-883-5811 for a copy of the proposal.

### DBE GOAL & PARTICIPATION...

(For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 6.68%

MDT has posted this information on the Contractor's System web page at <http://www.mdt.state.mt.us/ctrct/contract.htm>  
Click on the web site above.





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## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

Boundary Construction, Inc.	Kathleen Wagnild	Lewistown, MT	Clearing and grubbing, fencing
Lapke Construction, LLC	Gordon Lapke	Simms, MT	Concrete forming and finishing, concrete foundations, structures
Promark, Inc.	Merritt Rogers	Lolo, MT	Crack sealing, asphalt seal coating and maintenance, striping, parking lots

### Recently Re-Certified DBE Companies

Northwest Resource Consultants	Linda D. Priest	Helena, MT	Planning, marketing, EIS social & economic sections, evaluation plans
Kuck Trucking, Inc.	Connie C. Kuck	Billings, MT	Supply asphalt, supply oil products, truck hauling—dirt/aggregate supplies

### DBE Certification Denied

Kuck Transportation, Inc.	Connie C. Kuck	Billings, MT
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## As Read MDT April 29, 2004 Bid Letting Results

Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars / %	
IM 15-2(74)122 Rocker Scale Site/Rocker Interchange	Jim Gilman Excavating, Inc.	\$4,257,148.19	\$73,578.00	1.73%
BR 9025(34) Missouri River - Craig	Morgen & Oswood	\$3,362,747.86	\$121,703.00	3.62%
NH 57-5(27)159 Mosby Rest Area	Century Companies, Inc.	\$2,001,307.56	\$19,587.00	0.98%
IM-BH 0002(748) Statewide Steel Bridge Rehab	Abhe & Svoboda	\$1,329,723.00		
BR 14-6(14)257 Purcupine Cr - 8 km SE of Vananda	Sletten Construction	\$859,176.90		
CM 5215(1) 13th St.So.-10th to 21st - Great Falls	United Materials of GF, Inc.	\$1,398,321.06	\$81,422.00	5.82%
STPS 346-1(6)1 Manhattan-Dry Cr./Interchange	JTL Group - Belgrade	\$1,488,080.20	\$223,196.00	15.00%
CM 5203(11) 4th Ave SW	United Materials of GF, Inc.	\$524,913.06	\$34,811.00	6.63%
CM 12003(2) 7th-Karrow to Baker-Whitefish	Schellinger Construction	\$106,136.00		
STPP 84-1(10)0 Norris-NE/Bozeman-E	Jim Gilman Excavating, Inc.	\$510,833.53		
NH-IM-STPU 0002(644) Truck Route Signs-Billings	Montana Lines, Inc.	\$455,575.96	\$327,826.26	71.90%
BR 9017(13) Woody Cr - 43 KM NE of Jordan	Riverside Contracting, Inc.	\$429,919.20		
STPS 269-1(28)1 Turn Bays - N of Hamilton	Riverside Contracting, Inc.	\$1,086,721.65		
STPP 66-2(5)11 Blaine Co. Line - North	Century Companies, Inc.	\$706,726.20	\$22,771.05	3.22%
ER 15-8(59)356 I-15 Slide - So. Of Shelby	Shumaker Trucking & Exc	\$259,227.01		
STPHS 81-1(12)36	United Rentals	\$83,082.42		



## DBE COMPANY SPOTLIGHT

Newly MT DBE-certified Air Specialists was incorporated in Montana in 2002. Air Specialists, Inc. is a Native American owned and operated company established to provide professional services for a wide spectrum of indoor air quality (IAQ) concerns. The firm recently opened their office in Billings to provide site-specific, state of the art services to find and remove contaminants in the indoor environment. ASI's full range of IAQ services include investigations, remediation, consulting, and training. These are for institutional, industrial, commercial, and residential facilities. These services are a turnkey approach to providing assurance to owners, managers and occupants of buildings that problems with indoor contaminants are fully identified and safely removed.



ASI's staff of IAQ professionals has more than 40 years experience with solving all types of problems within the indoor environment and IAQ. These IAQ specialists include an industrial hygienist, IAQ investigators and remediation designers, air systems cleaning specialists, certified mold remediators, and certified healthcare contractors. ASI is a member of the Indoor Air Quality Association, Montana Society of Healthcare Engineers, American Society of Healthcare Engineers, TERO Northern Cheyenne Tribe, and Bureau of Indian Affairs (BIA) Buy Indian.

The company's officers are Patrick Chapel (President/CFO), Teri Noland (Vice President/Marketing Manager), Roy Noland (Secretary/Operations Manager), and Blaine Chapel (Job crew manager).

### *Some advice from Patrick Chapel with Air Specialists:*

- ❖ The maintenance of HVAC systems help reduce operating and electrical costs and optimize efficiency of the air system. All buildings 10 years or older should have an air stream assessment completed to see if a clean HVAC system could save you money.
- ❖ Patrick would like readers to know Air Specialists is very proud to provide the highest professional service using the most up-to-date technology and leading expertise to ensure the best indoor air quality services.



E-mail: [airspecialistsmt@msn.com](mailto:airspecialistsmt@msn.com)  
Phone: (406) 259-2970

## NEW CHANGES !! To MDT Contractor System Page

**New Monthly Construction Reports** – Each month, you can view current MDT projects listed by District, then Project Manager, then Project. Information contained in the report includes Current Contract YTD Amount, Current Time Used, Award Date, Work Begin Date, and Work Completed Date. Click on Monthly Construction Reports on this web page.

### Click on Report Archives under Select the Report Option

You can view:

- ❖ Average Bid Prices (dating back to 1931)  
(for kicks - look at 1931 prices)
- ❖ Award Sheets (past year)
- ❖ Bid Tabs (past two years)

You can now access the MDT Contractor System Page by clicking on the link below:

<http://www.mdt.state.mt.us/cntrct/contract.htm>

## Filing on a Project Bond...

DBE Supportive Services has a two-page document on the statutes regarding the procedures for filing on a project bond. Call Elaine or Rebecca for a copy today - 800-883-5811.

## On the "Light Side"



This street is not located in Montana.

## Quote of the Month

Live neither in the past nor in the future, but let each day's work absorb your entire energies, and satisfy your widest ambition.

*Sir William Osler (1849 - 1919), to his students*

# Marketing 101 - The Marketing Basics for the DBE Company

*Article submitted by Philip Belangie,*

*Microbusiness Technical Assistant Program Manager, Business Resources Division, Montana Department of Commerce*

- ❖ Marketing is a huge topic. Marketing covers everything including strategic planning, advertising and sales. It can be complicated and complex. For the DBE, it is not necessary to go back to school and get your MBA in Marketing (Five years of school); however, it is important that you know the basics of marketing and how to use them.
- ❖ This brief introduction into marketing will provide some basic definitions of the principals of marketing and how they apply to you. In later articles, we will discuss these principles in detail—again, as they relate to the DBE.
- ❖ First, let's define marketing. **Marketing** is a very broad term. It focuses on how customers make choices and **how companies should design products and services to meet their customer needs**. For the DBE, the marketing question you should ask is: How do I market my services to the prime contractor or engineering firm?
- ❖ Marketing theory tells us there are four principles you need to follow. If you follow these principals you will have a successful business. These are often called the four P's of marketing and they apply to all businesses:

1) *Product*   2) *Price*   3) *Promotion*   4) *Placement*

- 1) **Product:** First, a product can also be a **service**. The definition of product is a product or service designed to fit the **customer's needs**.

For the DBE, it is **vital** that the service you are providing meets the needs of the Prime Contractor or Engineering Firm—your customer. In marketing, first and foremost you must be able to perform. In order to be in business for the long term—your service must have value—you must be able to get the job done and do what you say you can do. The quality of your service is the first principal of successful marketing...**you must be able to deliver**.

It is an excellent idea to write out on paper what your product is. This will help you focus on who your customer is and what service you are providing. For example, my business specializes in offering the most reliable and expert landscaping services for the highway construction contractor.

- 2) **Price:** Second, *price* is what it costs for you to produce and deliver your product or service. You must know your costs in order to make a profit.

The **first rule of business** is in order to stay in business **you must make a profit**.

For the DBE, is it important that you know your overhead costs and that you know the cost of your labor and materials. Be realistic. If your price is not competitive because of overhead, labor and materials, you must ask yourself two questions: **1) Can I be competitive in this business? 2) Do I need assistance in computing my costs or how I have organized my business?**

Again, it is an excellent idea to write out on paper the specific costs of your proposal. This will help you understand the cost of your project and give you the flexibility to plan and make changes to your cost structure. This is your budget. Once you begin your project you will need to track your actual costs to determine if you are staying within your budget and still making a profit.

- 3) **Promotion:** Third, *promotion* is the strategy and the tactics you use to promote your business. It includes advertising, sales promotion and **personal contact with the customer**.

For the DBE, this is the beginning of a dialogue with your customer. Remember, your prime contractor or engineering firm needs your service, your labor, and your DBE status—it is **your job to promote your services to him**. Do not assume that just having DBE status and being on the DBE list is enough...now is the time to be proactive—to promote your services.

How do you promote your business? In some ways it's very easy—you don't have to buy television, radio, newspaper, and magazine ads—which is very expensive—all you have to do is **communicate**. How do you communicate? **You build a relationship with the prime contractor/engineering firm**.

**Call the contractor.** Introduce yourself. Describe your capabilities. Request a meeting to review your bid to focus on specific areas of concern. Ask his advice. Be professional. Dress appropriately. Focus on the business issue **only** in your initial meetings.

✓ **Have a business card.** Include your business phone number and your cell phone number.

✓ **Answer the phone.** Make it a policy to return all calls within an hour. Keep in touch.

✓ **Be on time** for meetings and be prepared. Profitable contracting is always about time.

In the end, for the DBE, your best promotion will be your **product/service**. Word of mouth will spread on your record of performance. If you are performing at a profit—business will begin to come to you. The better your reputation the better will be your promotion. Word of mouth is huge for the small business owner—good word of mouth will build your business and poor word of mouth will destroy it.

*Continued on next page...*



# May Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
2	3 ♦ Time Management & Organization Skills - Blgs	4 ♦ Employee Record Keeping in Montana - Msla ♦ Time Management & Organization Skills - Bzm	5 ♦ Employee Record Keeping in Montana - Bzm ♦ QuickBooks Payroll - Hlna ♦ Time Management & Organization Skills - Hlna	6 ♦ Employee Record Keeping in Montana - Blgs ♦ Time Management & Organization Skills - Msla	7	8
9	10 ♦ Beginning QuickBooks - Hlna	11 ♦ DOT & Non-DOT Drug & Alcohol Compliance - Billings ♦ Feasibility of Starting Your Own Business - Gt.Falls ♦ Is an ESOP Right For My Business? - Hlna	12 ♦ DOT & Non-DOT Drug & Alcohol Compliance - Bzm ♦ Introduction to Access - Hlna ♦ Writing Your Business Plan - Hlna	13 ♦ DOT & Non-DOT Drug & Alcohol Compliance - Msla	14 ♦ DOT & Non-DOT Drug & Alcohol Compliance - Gt.Falls	15
16	17 ♦ OSHA 500-Trainer Course in Occupational Safety & Health Standards - Blgs (May 17 - 20)	18	19 ♦ New Business Workshop ♦ WNET - Kspl	20 ♦ Intermediate/Advanced QuickBooks 2002 - Kspl ♦ WNET - Msla	21 ♦ HAZWOPER 8HR Refresher - Blgs	22
23	24	25 ♦ Indoor Air Quality-Mold and Other Factors - Hlna	26 ♦ Business Over Breakfast Roundtable - Hlna ♦ Introduction to Access - Hlna	27	28 ♦ Excelling as a First-Time Manager or Supervisor - Gt.Falls	29
30	31	June 1	June 2 ♦ Introduction to Access - Hlna	June 3	June 4	5

\* Hlna - Helena, Blgs - Billings, Bzm - Bozeman, Msla - Missoula, Kspl - Kalispell, Gt.Falls - Great Falls

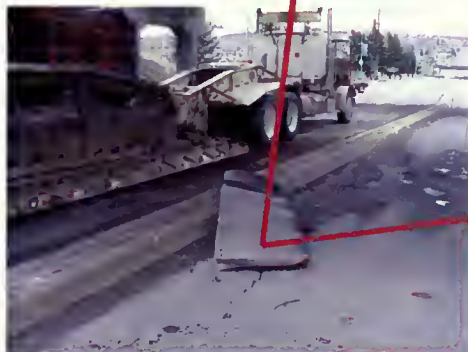
**2004**

- ♦ **Beginning QuickBooks**, May 10, Helena Business Resource Center. \$75. Business Resource Center, \$125. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Anderson ZurMuehlen & Co., CPA's & U Business Consultants. SBA sponsored.
- ♦ **Business Over Breakfast Roundtable (BOBR)**, May 26 – Helena. FREE. Contact Stephanie Hilger - [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Participants explore solutions to common problems of business ownership, share personal experiences and knowledge to help one another and obtain information on topics of interest to small business. SBA sponsored.
- ♦ **DOT & Non-DOT Drug & Alcohol Compliance: Reasonable Suspicion**, May 11 – Billings, May 12 – Bozeman, May 13 – Missoula, May 14-Great Falls. AEM Member \$165, Non-Member \$215. Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178. This seminar will explore current regulation and how to properly comply with both DOT and Non-DOT. It also provides for mandated reasonable suspicion training.
- ♦ **Employee Record Keeping in Montana**, May 4 – Missoula, May 5 – Bozeman, May 6 – Billings. AEM Member \$145, Non-Member \$195. Associated Employers of Montana, [www.associatedemployers.org](http://www.associatedemployers.org) or 406-248-6178. Course intended to assist Montana employers with the information needed to maintain records and reduce liabilities.
- ♦ **Excelling as a First-Time Manager or Supervisor**, May 28, Great Falls. \$199. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545. Gain the essential skills and knowledge you need to become a great manager or supervisor – delegating, communicating, hiring, conflict resolution, working with difficult people and more!
- ♦ **Feasibility of Starting Your Own Business**, May 11, Great Falls. FREE. Topics include: Your business idea, passion, perseverance, and persistence, financing, business plan, cash flow (bring a calculator), management skills, support systems for new business owners. Contact Suzie David [suzie@hpda.org](mailto:suzie@hpda.org) or 406-453-8834.
- ♦ **HAZWOPER 8HR Refresher**, May 21, Billings, MSSC Member \$100, Non-Member \$150. Montana Safety Services Council, [www.mssc.org](http://www.mssc.org) or 406-248-4893. Annual training to retain OSHA required re-certification.
- ♦ **Indoor Air Quality-Mold and Other Factors**, May 25 – Helena. FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. This course is designed to introduce the student to the recognition, correction and prevention of IAQ problems.
- ♦ **Introduction to Access**, May 12, 26 & June 2, Helena Business Resource Center, \$125. Contact Stephanie Hilger - [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Nancy Clark, Instructor. Word and Excel are prerequisites to this 9-hour class. SBA sponsored.
- ♦ **Is An ESOP Right For My Business?** May 11, Helena Business Resource Center, FREE. Contact Stephanie Hilger - [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. SBA sponsored. Learn what an employee stock ownership plan is and discuss how an ESOP is an excellent planning tool for entrepreneurs. Also covered, how an ESOP can be a financing tool for successful businesses and used as an exit mechanism.
- ♦ **Intermediate/Advanced QuickBooks 2002**, May 20, Kalispell. \$64. Flathead Valley Community College – [www.fvcc.edu/](http://www.fvcc.edu/). An in-depth look at accounts payable, accounts receivable, payroll, and inventory.
- ♦ **New Business Workshop**, May 19, Helena Business Resource Center. \$10. Contact Stephanie Hilger - [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Discover if you've got what it takes to start your own business and learn how to plan to make your ideas successful.
- ♦ **OSHA 500 – Trainer Course in Occupational Safety & Health Standards**, May 17 – 20, Billings. FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. This course is designed to present detailed information on how the provisions of the OSHA Act may be implemented in the workplace.
- ♦ **QuickBooks Payroll**, May 5, Helena Business Resource Center, \$75. Anderson ZurMuehlen & Co., CPA's & Business Consultants. [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Joe Bower and Dan Anderson, Instructors. Discover if you've got what it takes to start your own business and learn how to plan to make your ideas successful. SBA sponsored.
- ♦ **Time Management & Organization Skills**, May 3 – Billings, May 4 – Bozeman, May 5 – Helena, May 6 – Missoula. \$179. National Seminars Group, [www.natsem.com](http://www.natsem.com) or call 1-800-258-7246. Get more done in less time – and be better organized than you ever dreamed possible – using a practical *new* approach to time management!
- ♦ **WNET, May 19 – Kalispell**. FREE. Contact Martha Ripley [mripley@nelsoncompanies.net](mailto:mripley@nelsoncompanies.net) or 406-543-6033. **May 20 – Missoula**. FREE. Contact Denise Smith 406-758-2803. WNET provides women entrepreneurs the opportunity to establish a support network of women who understand the challenges and opportunities facing women entrepreneurs. SBA sponsored.
- ♦ **Writing Your Business Plan**, May 12, Helena – Business Resource Center, \$10. Contact Stephanie Hilger - [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Joe Bower, Instructor. Do you have a viable business idea, or are already in business and are working without a formal business plan? If so, this workshop will provide you an overview of all components in a business plan and what banks look for before making a commercial loan. SBA sponsored.



# FEDERAL HIGHWAY EMERGENCY FUNDS AT WORK

and just how high is the overpass?



Montana Street/I-90 Interchange Bridge Structure was damaged in an accident on Sunday, April 19 in Butte.

MDT has awarded contracts to Hollow Construction to construct three interstate crossovers and to Frontier West to replace the eastbound Montana Street/I-90 Interchange bridge structure.

Work is expected to be completed by April 26th.

## Marketing 101 — Continued

- 4) **Placement:** Fourth, *placement* is all the activities involved with getting your product or service to the customer. The question to ask: How will I deliver my service to the customer?

For the DBE, the word **service** is critical...*customer service*.

- How will I get to the work site on time?
- How will I communicate with the general contractor?
- How often will I communicate?
- Who is my contact person?
- How do I handle problems or unforeseen events?

All these questions can be discussed before the contract is awarded. By discussing these questions, the prime contractor or engineering firm will know that you are thinking of the project and are building a relationship—this will be the key to managing problems that always arise with any contracting job. This is the final key to marketing and the key to a successful long-term business relationship.

### BOOK RECOMMENDATION

Philip recommends *Guerrilla Marketing*, 3rd Edition, by Jay Conrad Levinson. **"It is the best book for the small business person."**

Conrad's total focus is on the small business owner who is marketing with very little funds...he especially believes in "customer service." Call DBE Supportive Services to check out the library book.



The SBDC is partially funded by the U.S. Small Business Administration. SBA's funding is not an endorsement of any products, opinions, or services. All SBA funded programs are extended to the public on a non-discriminatory basis.

## **MDT Highway Construction Projects Invitation for Bids, Letting of May 27, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/ctrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on May 27, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Jordan – East, Federal Aid Project No. NH 57-5(24)212 F.** Grading, gravel, plant mix overlay, seal and cover, pre-stressed concrete structure, water and sewer, signing and electrical - Garfield County. DBE contract goals are 4.0%.
2. **Rock Springs – North & South, Federal Aid Project No. STPP 18-2(14)31.** Grade, gravel, plant mix bituminous surfacing and drainage on 18.3 kilometers on MT 59 - Rosebud County and Garfield County. DBE contract goals are 3.0%.
3. **Northeast Bypass – Great Falls, Federal Aid Project No. NH-STPE 5205(18).** Grade, PCCP, PMBS, storm drain, signing, lighting, traffic signals and landscaping Northeast Bypass - Cascade County. DBE contract goals are 4.0%.
4. **Baker – North, Federal Aid Project No. STPP 27-2(16)36.** Digouts, leveling, plant mix bituminous surfacing overlay and seal and cover of 30.748 kilometers - Fallon County. DBE contract goals are 0.0%.
5. **Deep Creek Canyon, Federal Aid Project No. STPP-STPHS 14-1(17)11.** Plant mix surfacing overlay and seal & cover - Broadwater County. DBE contract goals are 0.0%.
6. **Butte – West & Continental Drive – Butte, Federal Aid Project Nos. IM 115-2(8)0 & CM 1807(8). IM 115-2(8)0.** Mill, plant mix overlay, seal and cover in Butte on I-115. The E1, E2, E3 and E4 ramp of the Excelsior Interchange, are also included. **CM 1807-(8)** – Mill, plant mix, overlay, seal and cover - DBE contract goals are 0.0%.
7. **Wicks – Governors to Main – Billings & 6th Ave. N. – N. 7th to N. 27th – Billings, Federal Aid Project Nos. CM 1012(3) & CM 1029(2) CM 1012(3).** Milling and bituminous plant mix overlay - Yellowstone County. **CM 1029(2)** – Milling and bituminous plant mix overlay - Yellowstone County. DBE contract goals are 0.0%.
8. **Turn Bays – Ninepipe, Federal Aid Project No. STPHS 5-2(99)37.** Widen, plant mix bituminous surfacing, seal and cover and sheet pile retaining wall - Lake County - Flathead Indian Reservation. DBE contract goals are 0.0%.
9. **10th St. – 1st to 5th Ave. – Havre & 13th St. – Monro to 1st – Havre, Federal Aid Project Nos. CM 5707(3) & CM 5709(7). CM 5707(3)** - Plant mix overlay, seal & cover, sidewalk, curb and gutter. **CM 5709(7)** – Plant mix overlay, seal & cover, sidewalk, curb and gutter. DBE contract goals are 0.0%.
10. **1998 – D1 – Slope Flattening & Guardrail, Federal Aid Project No. STPHS 0002(645).** Slope flattening and guardrail at 3 locations: South of Charlo on State Secondary Route 212 - Lake County – Flathead Indian Reservation. Near Moiese on State Secondary Route 212 - Lake County – Flathead Indian Reservation. Northeast of Missoula on State Highway 32200 - Missoula County. DBE contract goals are 0.0%.
11. **14th Ave. Signal – Havre, Federal Aid Project No. NH 1-6(50)383.** Signal, median concrete curb and sidewalk, signing and pavement markings - Hill County. DBE contract goals are 0.0%.

### **NEW WEBSITE**

#### **Women First National Legislative Committee (WFNLC)**

The WFNLC is a privately funded, nonpartisan, national grassroots advocacy group that aggressively promotes and protects the interests of women-owned small businesses certified in the U.S. Department of Transportation Disadvantaged Business Enterprise Program (DBE). Currently, Women First represents over 15,000 women-owned small businesses that participate in the DBE highway construction industry. There is a membership fee to join the organization. The website provides resource information of women-owned businesses and is FREE to view. <http://www.wfnlc.com>

### ***Did You Know?***

MDT is currently requesting qualifications from design build teams for the Motor Carrier Services facility in the County of Wibaux, due May 3, 2004.

No quotes are requested at this time, the teams are possibly looking for companies interested in being included on the Statement of Qualifications (SOQ). Look for two more design build projects in the near future. More information about this project is posted at:  
[http://www.mdt.state.mt.us/design\\_build/](http://www.mdt.state.mt.us/design_build/) or  
<http://www.mdt.state.mt.us/ctrct/contract.htm>  
(see Design Build Notification)



## More MT Contracting Opportunities

### **Professional Services for natural, environmental, and technical services for Bureau of Land Management,**

NAR040071, Bid Due Date: June 9, 2004, Need professional services for Montana, North Dakota, South Dakota, Wyoming, Utah and Idaho. NEPA, Landscape Analysis, Public Involvement, Watershed Assessments, Writing/Editing, Natural Resource Studies, Heritage Resource Studies, Geographic Information System, Timber Management, Social/Economic Studies, Monitoring, Engineering Surveys, Fuels Management, Remote Sensing, Mining Operations Analyses. 8a set aside. Beverly Sechrest, 303-236-9441, [Beverly\\_Sechrest@blm.gov](mailto:Beverly_Sechrest@blm.gov)

**Re-Reg Boat Ramp**, IFB-R1-14-04-036, Presolicitation, Bid Due Date: June 14, 2004, The Kootenai National Forest, Libby Ranger District, is soliciting bids to construct a parking area/boat ramp. Judi Foss, 406-283-7640, Fax 406-283-7712, [r1\\_kootenai\\_contracting@fs.fed.us](mailto:r1_kootenai_contracting@fs.fed.us) <http://www.epa.gov/spg/USDA/FS/03J1/IFB-R1-14-04-036/listing.html>

**Libby Creek BMPs and Aggregate Placement**, IFB-R1-14-04-038, Presolicitation, Bid Due Date: June 10, 2004, The Kootenai National Forest, Libby Ranger District, is soliciting bids for Libby Creek BMPs and aggregate placement. Work includes road reconditioning, installation of culverts and water diverters, installation of a gabion wall with guardrail and 6.82 miles of aggregate placement. Judi Foss, Procurement Clerk, Phone 406-283-7640, Fax 406-283-7712, Email [r1\\_kootenai\\_contracting@fs.fed.us](mailto:r1_kootenai_contracting@fs.fed.us) <http://www.epa.gov/spg/USDA/FS/03J1/IFB-R1-14-04-038/listing.html>

### **MT Department of Transportation**

307133, Bad Route Rest Area Maintenance, Bid Due Date: May 13, 2004

307145, Culbertson Rest Area Maintenance, Bid Due Date: June 2, 2004

307147, Armington Junction Rest Area Maintenance, Bid Due Date: May 20, 2004

307146, Teton Rest Area Maintenance, Bid Due Date: May 20, 2004

307156, Lawn Fertilization and Weed Control, Bid Due Date: May 6, 2004

307154, Crack Sealing 6 Locations in Missoula, Bid Due Date: May 6, 2004

SOQ4, Consultant Pre-qualification for Highway Project Development, Bid Due Date: May 19, 2004

Ten Epoxy Striping Projects throughout Montana, Bid Due Date: May 12 to 27, 2004

### **MT General Services Division**

SPB04-878P, Montana Wetlands Legacy Projects, Bid Date: May 19, 2004

SPB05-894P, Environmental Services, Bid Due Date: May 25, 2004

IFB05-920D, Class III Cultural & Paleontologic Resources Inventory, Bid Due Date: May 14, 2004

### **MT Department of Natural Resources and Conservation**

045370 CSW, Call When Needed Heavy Equipment, Bid Due Date: May 11, 2004

045480 CSW, Bear Creek Fisher River Tree Thinning, Bid Due Date: May 20, 2004

045440 CSW, Napa Creek Project, Bid Due Date: May 26, 2004

MT Johns Slashing & Excavator Piling, Bid Due Date: May 25, 2004

045510 CSW, Bear Creek Thinning, Bid Due Date: May 27, 2004

<http://www.discoveringmontana.com/doi/GSD/osbs/Default.asp>

**Cut Bank Airport Improvements**, AIP 3-30-0020-06-2004, Bid Due Date: May 18, 2004, Snow Removal Equipment Purchase and Remodel Snow Removal Equipment Storage Building. No DBE Goal. Contact Phil Porrini with Robert Peccia at 406-447-5000 for more information or plans.

**Tiber Dam Toe Drain Sump and Fresno Dam Toe Drain System Replacement**, Lower Marias PS and Milk River Projects, Havre, MT, 04SP602570, Bid Due Date: May 24, 2004, Bureau of Reclamation, Work involves excavation near the toe of the dams to replace toe-drain outlet structures. To request a copy of the solicitation, fax request to Hart Black Eagle phone 406-247-7803 or fax 406-247-7798 [hblackeagle@gp.usbr.gov](mailto:hblackeagle@gp.usbr.gov) <http://www.epa.gov/spg/DOI/BR/BR/04SP602570/listing.html>

**Meadow Lake FAS**, Ennis MT, MT Dept of Fish, Wildlife and Parks, Gavel access road and parking area, concrete sidewalks, camp site, sign installation, Bid Due Date: May 4, 2004

**Causeway FAS Fishing Pier**, Helena, MT, MT Dept of Fish, Wildlife and Parks, Construct a 700 sf pier with steel piles and supports, metal railing, composite decking, light pole, and rip-rap. Bid Due Date: May 6, 2004

**R-1 Boat Ramp Extension**, Kalispell, MT, MT Dept of Fish, Wildlife and Parks, 3 boat ramp extension projects, Bid Due Date: May 19, 2004 <http://www.fwp.state.mt.us/insidefwp/d&c/gallery.asp#upcoming>

## MDT CIVIL RIGHTS BUREAU

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager,  
rejohnson@state.mt.us (800) 883-5811

Elaine Hodgkin, DBE Supportive Services Assistant  
Manager, ehodgkin@state.mt.us (800) 883-5811

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592  
[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/) and click on Civil Rights Bu-

## Inside this issue:

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DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001

STATE DOCUMENTS COLLECTIO

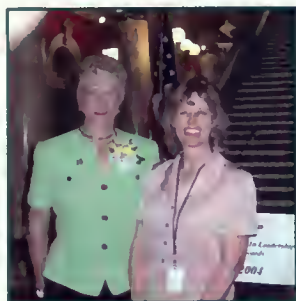
MAY 13 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59620

JIM KAMMERER  
MONTANA STATE LIBRARY



## Rebecca Johnson Honored!



Governor Judy Martz presented Rebecca Johnson with a nomination award for her leadership in developing the DBE Supportive Services Program.

The award from the Interdepartmental Coordinating Committee for Women (ICCW) was created to

recognize individuals in the public and private sector who have outstanding leadership qualities, who recognize the value of women in the workplace, and who actively encourage women to move forward and upward.

## DBE SUPPORTIVE SERVICES SURVEY

The MDT DBE Supportive Services Office recently emailed an electronic survey to the Montana DBE-certified companies asking for your feedback on the services we provide to you. Please fill out this survey as the information you provide will assist with the growth of the program in meeting your needs.

If you have not received the survey, you can access the survey form through the Civil Rights web site

[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/)

scroll down to Disadvantaged Business Enterprise Supportive Services (DBE/SS) Program section and click on DBE Supportive Services Survey or call our office 800-883-5811 for a copy. Thank you.

## Upcoming Dates

**Next MDT Bid Letting is June 24, 2004**

**(Advertised May 27, 2004)**

## INVITATIONS TO BID

**Runway Lighting Rehabilitation and  
Navigational Aids Project  
Sidney-Richland Airport**

**DBE Project Goal is .54%  
Bid Date: June 10, 2004**



**Runway, Taxiways and Apron  
Pavement Rehabilitation Project  
Ekalaka Airport—AIP 3-30-0025-003**

**DBE Project Goal 8.19%  
Bid Date: June 15, 2004**

For copies of plans and specifications on  
both projects contact  
Kadmas, Lee & Jackson, Inc. at 701-355-8400



## Way to go!

These companies achieved high DBE participation on their awarded MDT highway construction projects with 0.0% project specific goals on the last bid letting!

**JTL Group, Inc., Belgrade 15%**

**United Materials of Great Falls, Inc. 6.63%**

## DBE GOAL & PARTICIPATION... (For Federal-Aid MDT Projects)



**FFY 2004 DBE GOAL IS 6.29%**

**FFY 2004 DBE PARTICIPATION IS 7.71%**

MDT has posted this information on the Contractor's System web page at  
<http://www.mdt.state.mt.us/cntrct/contract.htm>

## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

C.W. Brown Architectural History Consulting	Christine Wiltberger	Helena, MT	Evaluation and Inventory of historic properties, historical research, National Register of Historic Places nominations
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### Recently Re-Certified DBE Companies

Hardrives Construction, Inc.	Jim Bailey	Billings, MT	Grading, pipe, excavation, culvert installation, places dirt & aggregate, asphalt paving, concrete forming and finishing.
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## As Read MDT May 27, 2004 Bid Letting Results

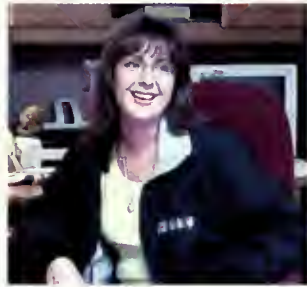
Project Title and #	Prime Bidder	Low Bid Amount	DBE Participation Dollars / %	
NH 57-5(24)212 F Jordan-East	Riverside Contracting, Inc.	\$ 11,126,657.52	\$ 480,683.00	4.32%
STPP 18-2(14)31 Rock Springs - N & S	M K Weeden	\$ 8,725,914.52	\$ 359,860.61	4.12%
NH-STPE 5205(18) Northeast Bypass - Great Falls	United Materials of Great Falls	\$ 6,656,254.59	\$ 532,706.20	8.00%
STPP 27-2(16)36 Baker-North	Prince, Inc.	\$ 2,111,111.11	\$ 297,917.50	4.48%
STPP-STPHS 14-1(17)11 Deep Creek Canyon	Schellinger	\$ 1,520,497.00	\$ 463,796.02	30.50%
CM 1807(8) / IM 115-2(8)0 Continental Drive - Butte/Butte-West	Jim Gilman Excavating, Inc	\$ 917,201.99	\$ -	0.00%
CM 1012(3)/CM 1029(2) Wicks-Governors to Main - Billings	Empire Sand & Gravel Company	\$ 845,400.00	\$ 52,366.00	6.19%
STPHS 5-2(99)37 Tum Bays - Ninepipe	Frontier-West, LLC	\$ 1,221,802.02	\$ 17,970.19	1.47%
CM 5707(3)/CM 5709(7) 10th St-1st to 5th Ave/13th st-Monroe to 1st	Bill Baltrusch Construction Co., Inc.	\$ 418,612.95	\$ -	0.00%
STPHS 0002(645) 1998-D1-Slope Flat & Guardrail	United Rentals Hwy Tech	\$ 196,586.59	\$ -	0.00%
NH 1-6(50)383 14th Ave Signal - Havre	Central Electric, Inc.	\$ 144,910.10	\$ 14,889.70	10.28%



## DBE COMPANY SPOTLIGHT

Newly Montana DBE-certified Promark, Inc., is a woman-owned business enterprise and was incorporated in Montana 1996. The business currently offers the following services using the state-of-the-art equipment::

- Paint striping
- Line removal
- Crack sealing
- Epoxy striping
- Traffic control (limited)



Promark, Inc.'s owner, Merritt Rogers prides herself on having a family-oriented business and is very committed to her employees. She have 30 full-time dedicated seasonal workers.

Promarks, Inc. current projects include airport and highway Construction and is working in Western Montana, Idaho and Wyoming.



PO Box 1238 \* 11890 US Hwy 93 South \* Lolo, MT 59847  
Phone number: 406-273-4622 Email: merritt@promark.myrf.net

### **FREE** Monthly Highway Construction Bid Disk

Get on the mailing list to receive a monthly CD with that month's bid packages (includes plans/proposal for all projects to be bid plus the bid disk information), also includes files of detailed drawings and specification books. Ask Lori Stanich to include you on this mailing list at 406-444-6216 or lstanich@state.mt.us

### *Quote of the Month*

"Hide not your talents. They for use were made.  
What's a sundial in the shade."

*Benjamin Franklin*

### MDT Contractor's System Page Question & Answer (Q&A) Forum

MDT posts questions and answers regarding each project that is being bid that month on the Q&A Forum web site. Q&A is updated every day up until 5:00 pm on the Wednesday before the bid letting. Contractors can submit questions until the Monday at 10:00 am before the bid letting via this web page.

Remember, this Q&A should be checked daily to consider any possible changes to your quote or bid. The Q&A Forum can be found on the Contractor System web page at  
<http://www.mdt.state.mt.us/cntrct/contract.htm>  
(click on Question and Answer Forum under Contractor's System title).

### Friendly Reminder -



**Watch for overweight trucks on MDT highway construction projects.**

### TRAINING VIDEOS

**are available through the DBE Library....**

**Call our office to check out one of these videos**

**800-883-5811**

*"The one thing you never get to do as a leader, is watch yourself lead."*

*-Would I Follow Me? video*

**Would I Follow Me?**

The video, "Would I Follow Me" demonstrates one leader's behavior and the results in two different situations. Viewers will learn effective leadership behaviors and appreciate the impact those behaviors have on the success of their work group.

*"The number one reason why people thrive in an organization is their immediate supervisor. It's also the number one reason they quit."*

*-Gallup Organization Study*

**Would I Work Me?**

The video, "Would I Work For Me?" demonstrates a supervisor's behavior in realistic situations—first as a newly appointed supervisor, and then as a more experienced manager who has learned from his mistakes. Viewers will learn eight effective management skills that improve motivation, productivity and the bottom line—this is essential training for all managers and supervisors.

## Summary of Loans available to Small Businesses in Montana

Go to Small Business Development Center (SBDC) first, talk to advisor about everything you need to know to prepare for requesting a loan from a bank, how to prepare a business plan, how to project income and expenses, how to complete a cash flow statement, complete a market analysis and plan, complete financial statements, how much money you need to borrow, etc. See list for closest SBDC.

Go to local banks for a possible conventional loan, Board of Investment I Loans such as Federal Guarantee Purchase (SBA-guarantee loans), Loan Participation Program, and Value-Added Program (based on creation or retention of 10 jobs).

If you are unable to secure a loan through the bank, go to your nearest Montana MicroBusiness Development Corporations (MBDC). See list for closest MBDC. You may also want to contact your local Chamber of Commerce and learn of all business centers that offer loan programs. Most of the MBDCs have similar loan programs, but at the same time have individual loan programs set up for only their community. Sample loan options through Economic and Community Development Organizations are:

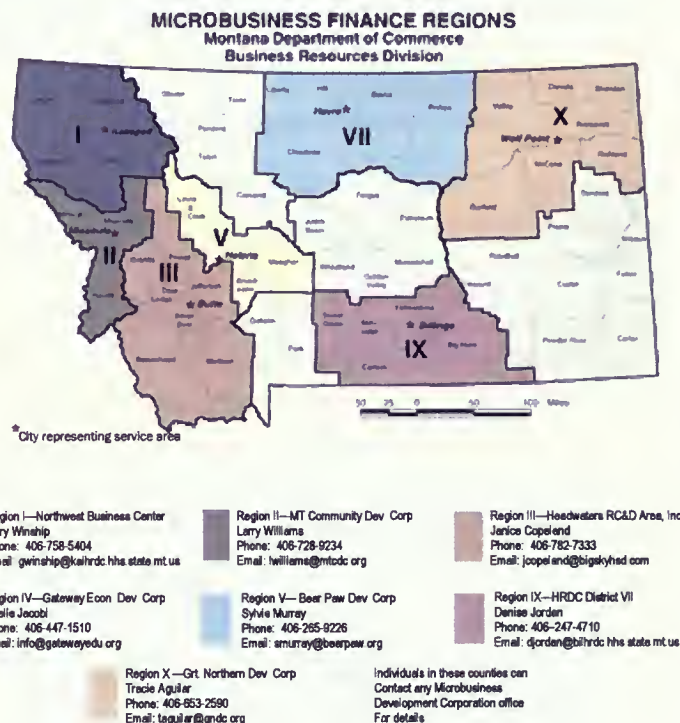
**MicroBusiness Finance** – maximum of \$35,000, 8% and up interest rate, Loan and application fees vary by location.

**USDA Intermediary Re-lending Program** – maximum of \$187,500, 7% and up interest rate, \$50 loan application fee and 1% loan origination fee.

**City and County Loan Programs** – find out what your local area has available.

**DEQ Alternative Energy** – \$10,000 per applicant, 5.5% fixed interest rate, \$50 loan application fee FOR INDIVIDUALS, \$100 FOR JOINT APPLICANTS, 2% loan origination fee.

**CDBG (Community Development Block Grant)** – grant to local government to stimulate economic development, Minimum 4 points below current money center prime rate quoted in Wall Street Journal, no less than 4%, maximum 10%, usually 6%, \$400,000 to local government (city/county) that loans to small businesses, Loan is paid back to local government and they loan to another business in local area. must have 51% of jobs created for low/moderate income persons, \$25,000 per job created. Business requests are handled twice a year. Contact Gus Byrom, [gbyrom@state.mt.us](mailto:gbyrom@state.mt.us), 841-277, MT Department of Commerce CDBG. The community development block grant (CDBG) program is a federally-funded grant program designed to help communities with their greatest community development needs. All projects must be designed to principally benefit low and moderate-income families.



**Board of Investment Loans** – Infrastructure Loan (must create at least 15 jobs, through local government), The objective of the board's in-state loan program is to diversify, strengthen, and stabilize the Montana economy. specifically, Montana law states that "the board shall endeavor to invest up to 25 percent of the state's coal tax trust fund in the Montana economy, with special emphasis on investments in new or expanding locally owned enterprises." to achieve this objective, the board has designed a series of loan programs that can be tailored to meet the individual needs of borrowers.

### **Infrastructure loan program funded from the permanent coal tax trust**

- Loans to local government for infrastructure improvement used by basic-sector businesses.
- Business for which infrastructure is provided must create at least 15 full-time jobs.
- Loan sized at number of jobs times \$16,666-minimum loan size \$250,000.
- Business pays local government use fee, which is assigned to board for loan repayment.
- Use fee can be totally credited against Montana income taxes paid by business.
- Total amount available for this program is \$50 million

**EDA Revolving Loan Fund** – Local Development Organizations receive grant money for business loans. No statutory limit but typical funding amounts are generally between \$10,000 AND \$100,000 Create/retain jobs in economically distressed areas. Stimulate economic development objectives by strengthening the local economy, stimulating private investment & enhancing job opportunities. Fills a funding gap when alternative sources of public/ private financing are not available. Interest rate average 6% (subject to change) matching funds: 2:1 equity required: 20%

If business still has difficulty getting a loan, as a last resort MBDC/SBDC may refer them to Innovative Bank in Oakland, California. UP TO \$15,000 unsecured loan at 4.9% above prime VARIABLE interest rate. For more information, call for a copy of the MT Dept of Commerce Brochure or go to: [www.commerce.state.mt.us](http://www.commerce.state.mt.us) or [www.mtfinanceonline.com](http://www.mtfinanceonline.com)



# June Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
		1	2	3	4	5
6	7 ♦ Defensive Driving – Blgs ♦ MCA Internet Plan Room- Kspl	8 ♦ Safety Training Workers Comp. – Hlna ♦ Forklift Certification Training – Hlna ♦ MCA Internet Plan Room- GT. Falls	9 ♦ MCA Internet Plan Room- Lewistown	10 ♦ Workplace Safety & Health – Msla ♦ MCA Internet Plan Room- Blgs	11 ♦ Managing Multiple Projects, Objectives & Deadlines – Hlna ♦ Effective Safety Management Systems - Msla	12
13	14 ♦ Microsoft Excel - Kspl	15 ♦ Safety Training Workers Comp. – Msla ♦ Coaching, Mentoring & Team Building - Msla ♦ Essentials of Human Resources – Bzm ♦ Evaluating a Business Idea – Msla ♦ Assistance for Business Clinic – Butte	16 ♦ WNET – Kspl ♦ Business Start-Up 101 – Lvgston ♦ New Business Workshop - Hlna ♦ Essentials of Human Resources – Bzm ♦ Assistance for Business Clinic – Bzm ♦ Forklift Certification Training - Msla	17 ♦ WNET – Msla ♦ Essentials of Human Resources - Blgs ♦ Forklift Certification Training – Kspl ♦ New Overtime Rules – Bozeman and Livingston	18 ♦ Essentials of Human Resources – Blgs ♦ Microsoft Excel - Hlna	19
20	21 ♦ Microsoft Excel, Advanced - Hlna	22 ♦ Safety Training Workers Comp. – Kspl ♦ Essentials of Human Resources – Hlna ♦ Microsoft Excel – Bzm ♦ Forklift Certification Training – Bzm ♦ Assistance for Business Clinic – Glasgow	23 ♦ BOBR – Hlna ♦ Leadership Dev. & Teambuilding – Msla ♦ Essentials of Human Resources – Hlna ♦ Microsoft Excel, Advanced - Bzm ♦ Forklift Certification Training - Lvgston ♦ Assistance for Business Clinic – Sidney	24 ♦ Safety Training Workers Comp. – Gt.Falls ♦ Essentials of Human Resources – Msla ♦ Microsoft Excel - Blgs ♦ Forklift Certification Training - Blgs ♦ Assistance for Business Clinic – Miles City	25 ♦ Essentials of Human Resources – Msla ♦ Microsoft Excel, Advanced - Blgs	26
27	28	29 ♦ Safety Training Workers Comp. – Blgs ♦ Forklift Certification Training - Butte	30 ♦ Safety Training Workers Comp. – Bzm ♦ New Overtime Rules - Helena			

\* Hlna – Helena, Blgs – Billings, Bzm – Bozeman, Msla – Missoula, Kspl – Kalispell, Gt.Falls – Great Falls

**2004**

- ♦ Assistance for Business Clinic (2004), June 15 - Butte, June 16 - Bozeman, June 22 - Glasgow, June 23 - Sidney, June 24 - Miles City. Cost: \$45. Contact Chamber of Commerce, [www.state.mt.us/revenue/content/3forbusinesses/05taxassistance/2004\\_clinic\\_schedule.pdf](http://www.state.mt.us/revenue/content/3forbusinesses/05taxassistance/2004_clinic_schedule.pdf) or 406-586-5421. Provides up-to-date information on employment, tax laws, tax credits and services available.
- ♦ BOBR, June 23 - Helena. FREE. Contact: Lorena Carlson, [lorena.Carlson@sba.gov](mailto:lorena.Carlson@sba.gov) or at 406-441-1081. Business Over Breakfast Roundtable is a series of meetings that provide business owners the opportunity to openly discuss and learn about issues affecting small businesses.
- ♦ Business Start-Up 101, June 16 - Livingston. FREE. Contact: Tracey Jette, [botmlne@bozeman.org](mailto:botmlne@bozeman.org) or 406-587-3113. Learn these business start-up basics: feasibility analysis, business plans, financing projections, licensing.
- ♦ Coaching, Mentoring & Team Building, June 15 - Missoula. Cost: \$395 Contact National Seminars Group, [www.natsem.com](http://www.natsem.com) or at 800-258-7246. A seminar offering tools and techniques that today's winning managers use to achieve phenomenal team results.
- ♦ Defensive Driving, June 7 - Billings. Cost: MSSC Member \$40, Non-Member \$60. Contact Montana Safety Services Council, [www.mssc.org](http://www.mssc.org) or 406-248-4893. The course outline includes: Why should I be a safe driver? What are the contributing factors to collisions? Defining the characteristics of a defensive driver.
- ♦ Effective Safety Management Systems, June 11 - Missoula. FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. This course is designed to help employers understand federal and state requirements for safety and health programs.
- ♦ Essentials of Human Resources, June 15 & 16 - Bozeman, June 17 & 18 - Billings, June 22 & 23 - Helena, June 24 & 25 - Missoula. Cost: \$469. Contact Padgett Thompson [www.pttrain.com](http://www.pttrain.com) or at 800-258-7246. This seminar is designed for HR professionals with less than 5 years' experience. Get the latest in HR practices and processes, and a clearer understanding of critical legal issues that effect everything.
- ♦ Evaluating a Business Idea, June 15 - Missoula. Cost: \$5 for materials. Sponsored by Montana Community Development Corporation/Small Business Development Center, [www.mtcddc.org](http://www.mtcddc.org) or 406-728-9234 ext. 200 for more details/registration.
- ♦ Forklift Certification, June 8 - Helena, June 16 - Missoula, June 17 - Kalispell, June 22 - Bozeman, June 23 - Livingston, June 24 - Billings, June 29 - Butte, June 30 - Hamilton. Sponsored by Montana Building Industry Association, [www.montanabia.com/grip/seminar](http://www.montanabia.com/grip/seminar) or 406-723-8831 or 406-442-4479.
- ♦ Leadership Development and Teambuilding, June 23 - Missoula. Cost: \$199. This conference is full of real-life examples, practical methodology sessions, and more. Course #156563. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545.
- ♦ Managing Multiple Projects, Objectives, & Deadlines, June 11 - Helena. Cost: \$199. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545. Learn how to get and keep control of concurrent projects, competing priorities and critical deadlines.
- ♦ MCA Internet Plan Room, June 7 - Kalispell, June 8 - Great Falls, June 9 - Lewistown, June 10 - Billings. FREE. Sponsored by the Montana Contractors Association, [www.mtagc.org](http://www.mtagc.org) or call 800-364-2059. A demonstration of the powerful business tool 151 construction professionals use to find more Montana work, save time and reduce costs.
- ♦ Microsoft Excel, June 14 - Kalispell, June 18 - Helena, June 22 - Bozeman, June 24 - Billings. Cost: \$215. CompEd Solutions, [www.natsem.com](http://www.natsem.com) or 800-258-7246. Enhancing your Excel skills, learn techniques and shortcuts.
- ♦ Microsoft Excel Advanced, June 21 - Helena, June 23 - Bozeman, June 25 - Billings. CompEd Solutions, [www.natsem.com](http://www.natsem.com) or 800-258-7246. This course is for the Power User. Learn how to harness the full power of a VBA macro.
- ♦ New Business Workshop, June 16 - Helena. Cost: \$10. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Do you have what it takes to start your own business? Learn how to plan to make your ideas successful. Helena Business Resource Center. Joe Bower and Dan Anderson Instructors.
- ♦ New Overtime Rules Workhops, 8:30am - 11:30am. The new regulations on overtime exemptions become effective August 23rd, 2004. Jim Nys, Personnel Plus, 406-443-7787, \$20.00, June 30<sup>th</sup> in Helena, June 17<sup>th</sup> in Livingston, June 17<sup>th</sup> in Bozeman, other possible cities are Missoula, Butte, Great Falls, and Kalispell. Register at <http://www.personnel-plus.com/survey/index.php?sid=12>
- ♦ Safety Training - Worker's Compensation Insurance, June 3 - Miles City, June 8 - Helena, June 15 - Missoula, June 22 - Kalispell, June 24 - Great Falls, June 29 - Billings, June 30 - Bozeman. FREE. Contact Mary Boyle at <http://www.montanastatefund.com> or 406-444-6502. Montana State Fund is sponsoring this Safety training to help educate business owners about the ins and outs of the workers' compensation insurance world. Open to any Montana employer, not just MSF policyholders.
- ♦ Workplace Safety and Health Inspection-Tools and Techniques, June 10 - Missoula. FREE. MT Dept. of Labor & Industry, Safety & Health Bureau, [www.montanasafety.com](http://www.montanasafety.com) or 406-444-6401. This course explains the importance of conducting in-house work place safety and health inspections and audits.
- ♦ WNET, June 16 - Kalsipell, June 17 - Missoula. Contact: Denise Smith, Kalispell Chamber 406-758-2803. WNET provides women entrepreneurs the opportunity to establish a support network of women who understand the challenges and opportunities facing women entrepreneurs.



# Montana's DBE's on the Job

## Jefferson City—Highway Project

### Milling by Poteet Construction



### Guardrail by OMO Construction



## **MDT Highway Construction Projects Invitation for Bids, Letting of May 27, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/contract/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on May 27, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Jordan – East. Federal Aid Project No. NH 57-5(24)212 F.** Grading, gravel, plant mix overlay, seal and cover, prestressed concrete structure, water and sewer, signing and electrical work on the Jordan - East project in Garfield County. DBE contract goal is 4.0%.
2. **Rock Springs – North & South. Federal Aid Project No. STPP 18-2(14)3.** Grade, gravel, plant mix bituminous surfacing and drainage on 18.3 kilometers on Rock Springs – North and South project on MT 59 in Rosebud County and Garfield County. DBE contract goal is 3.0%.
3. **Northeast Bypass – Great Falls. Federal Aid Project No. NH-STPE 5205(18).** Grade, PCCP, PMBS, storm drain, signing, lighting, traffic signals and landscaping on 3.2 kilometers of the Northeast Bypass – Great Falls project in Cascade County. DBE contract goal is 4.0%.
4. **Federal Aid Project No. STPP 27-2(16)36.** Digouts, leveling, plant mix bituminous surfacing overlay and seal and cover of 30.748 kilometers on the Baker-North project in Fallon County. DBE contract goal is 0.0%.
5. **Deep Creek Canyon. Federal Aid Project No. STPP-STPHS 14-1(17)11.** Plant mix surfacing overlay and seal & cover of approximately 19.7 kilometers on State Primary 14/US 12, Deep Creek Canyon in Broadwater County. DBE contract goal is 0.0%.
6. **Butte – West & Continental Drive – Butte. Federal Aid Project Nos. IM 115-2(8)0 & CM 1807(8) IM 115-2(8)0 –** Mill, plant mix overlay, seal and cover on 1.89 kilometers of the Butte – West project on I-115, also known as the Butte Spur in Silver Bow County. DBE contract goal is 0.0%.
7. **Wicks – Governors to Main – Billings & 6th Ave. N. – N. 7th to N. 27th - Billings. Federal Aid Project Nos. CM 1012(3) & CM 1029(2).** CM 1012(3) – Milling and bituminous plant mix overlay on 2.8 kilometers of Urban Route 1012, Wicks Lane in Yellowstone County. CM 1029(2) – Milling and bituminous plant mix overlay on 2.2 kilometers of Urban Route 1029, 6th Ave. North in Yellowstone County. DBE contract goals are 0.0%.
8. **Turn Bays – Ninepipe Federal Aid Project No. STPHS 5-2(99)37.** Widen, plant mix bituminous surfacing, seal and cover and sheet pile retaining wall on the Turn Bays – Ninepipe project in Lake County. The project is entirely within the boundaries of the Flathead Indian Reservation. MANDATORY PRE-BID CONFERENCE. DBE contract goals are 0.0%.
9. **10th St. – 1st to 5th Ave. – Havre & 13th St. – Monroe to 1st – Havre. Federal Aid Project Nos. CM 5707(3) & CM 5709(7)** CM 5707(3) - Plant mix overlay, seal & cover, sidewalk, curb and gutter on the 10th St. – 1st to 5th Ave. - Havre project in Hill County. CM 5709(7) – Plant mix overlay, seal & cover, sidewalk, curb and gutter on the 13th St. - Monroe to 1st - Havre project in Hill County. DBE contract goals are 0.0%.
10. **1998 – D1 – Slope Flattening & Guardrail Federal Aid Project No. STPHS 0002(645)** Slope flattening and guardrail at the following 3 locations: Location # 1 – South of Charlo on State Secondary Route 212 in Lake County. This location is within the Flathead Indian Reservation. Location #2 – Near Moiese on State Secondary Route 212 in Lake County. This location is within the Flathead Indian Reservation. Location #3 – Northeast of Missoula on State Highway 32200 in Missoula County, MANDATORY PRE-BID CONFERENCE. DBE contract goals are 0.0%.
11. **14th Ave. Signal – Havre Federal Aid Project No. NH 1-6(50)383.** Signal, median concrete curb and sidewalk, signing and pavement markings on the 14th Avenue Signal – Havre project in Hill County. DBE contract goal is 0.0%.

## **Introducing Montana Community Development Corporation (MCDC)**

If you are considering a business start-up or expansion in the Missoula area, call MCDC first. MCDC works to find the financial and management solutions your business needs now.

They have experience with hundreds of businesses, both large and small, within the region. We can lend you \$1,000 to \$150,000 based upon the fund for which you qualify. If you need help with business planning or solving a particular business problem, staff from our Small Business Development Center can work with you. Montana Community Development Corporation is a private, non-profit organization. Our goal is to build western Montana's economy, working with new and expanding businesses. Your success in business helps sustain communities, and creates income opportunities for low and moderate income residents. We offer service in the following Western Montana counties: Missoula County, Ravalli County, Sanders County, Mineral County and South Lake County. 406-728-9234 ext 206 or [www.mtcdc.org](http://www.mtcdc.org)



## More MT Contracting Opportunities

**Hinsdale Wastewater System**, Bid Due Date: June 16, 2004, WBE Goal 6.9% and MBE Goal 4.1%, Interstate Engineering 433-5617

**Dry Wolf Campground Restoration**, Stanford, MT, Lewis & Clark National Forest, R1-15-04-15, Bid Due Date: June 28, 2004. Dry Wolf Campground Restoration work consists of the reconstruction of twenty-two (22) camping sites including an existing group and day use site. Jan Wenaas at 406-791-7717, [jwenaas@fs.fed.us](mailto:jwenaas@fs.fed.us)  
<http://www.epa.gov/spg/USDA/FS/03K0/R1-15-04-15/listing.html>

**Spring Slide Bridge on the Flathead Presolicitation NF**, R1-10-04-18, Flathead National Forest, Bid Due Date: July 8, 2004, Project consists of removal of twin 48" pipe removal, excavation, furnishing and placing riprap and crushed aggregate, precasting, and installing prestressed concrete panels and wingwalls, precasting and/or casting-in-place concrete caps and curbs, seeding and mulching of site. Barbara Venturini, 406-758-5318, [bventurini@fs.fed.us](mailto:bventurini@fs.fed.us)  
[http://www.epa.gov/spg/USDA/FS/0385/RFQ\\_R1-10-04-18/listing.html](http://www.epa.gov/spg/USDA/FS/0385/RFQ_R1-10-04-18/listing.html)

**Four Wells North, Prairie County, MT, Presolicitation**, ESQ040043, Bid Due Date: July 7, 2004, BLM, Furnish labor, equipment, supplies and materials to construct four wells. Estimated price range is between \$25,000 and 100,000. Charlene Gunther 406-896-5195 [charlene\\_gunther@mt.blm.gov](mailto:charlene_gunther@mt.blm.gov)  
<http://www.epa.gov/spg/DOI/BLM/MT/ESQ040043/listing.html>

**Hand Tree Thinning**, Presolicitation, RFQ-14-04-033, Bid Due Date: June 30, 2004, Kootenai National Forest, Libby, MT, 59923, 1076 acres (6 bid items) of hand tree thinning. Judi Foss, 406-283-7640, [r1\\_kootenai\\_contracting@fs.fed.us](mailto:r1_kootenai_contracting@fs.fed.us)  
<http://www.epa.gov/spg/USDA/FS/03J1/RFQ-14-04-033/listing.html>

**Hayes Creek Fuels Reduction Stewardship Project, Presolicitation**, RFP-R1-16-04-599, Bid Due Date: July 2, 2004, Lolo National Forest, Removal of small non-commercial trees as well as merchantable saw timber, hand and machine piling, road blading, and installation of three temporary culverts on the Darby Ranger District, Bitterroot National Forest, Ravalli County, Montana. Diane Thompson, 406-329-3889, [dkthompson@fs.fed.us](mailto:dkthompson@fs.fed.us)  
[http://www.epa.gov/spg/USDA/FS/03R6/RFP\\_R1-16-04-599/listing.html](http://www.epa.gov/spg/USDA/FS/03R6/RFP_R1-16-04-599/listing.html)

**Kids Pipeline 2004, Custer and Prairie Counties, MT, Presolicitation**, ESQ040041, Bid Due Date: July 6, 2004, BLM Montana, Furnish labor, equipment, supplies and materials to construct four livestock pipelines on BLM property. Charlene Gunther 406-896-5195 [charlene\\_gunther@mt.blm.gov](mailto:charlene_gunther@mt.blm.gov) <http://www.epa.gov/spg/DOI/BLM/MT/ESQ040041/listing.html>

**Road Blading, Presolicitation, Townsend, Helena, and Lincoln Ranger Districts**, RFP-R1-12-04-011, Bid Due Date: July 6, 2004, Helena National Forest, Road maintenance on the Helena National Forest. Cindy Christophersen, 406-495-3719, [cchristophersen@fs.fed.us](mailto:cchristophersen@fs.fed.us) <http://www.epa.gov/spg/USDA/FS/03H6/RFP-R1-12-04-011/listing.html>

**Grouse Gulch Stream Restoration, Townsend Ranger District, Presolicitation**, R1-12-04-007, Bid Due Date: June 30, 2004, Helena National Forest, Temporary Road Crossing, Removing hazard trees, laying back stream banks, installing 6 grade control structures, ripping and recontouring roads to match original ground profile, seeding the old road bed, placing erosion control mats and seeding disturbed area. Solicitation to be issued June 4, 2004. Mary Ball-Torok, 406-495-3761, [mballtorok@fs.fed.us](mailto:mballtorok@fs.fed.us) <http://www.epa.gov/spg/USDA/FS/03H6/R1-12-04-007/listing.html>

**IFB40454, Phase 1 Remedial Action – Silver Bow Creek**, Bid Due Date: June 17, 2004, Construct approximately 5.4 miles of haul road; excavating tailings/impacted soils; transporting and stockpiling materials; installing two (2) permanent modular steel bridges; installing one (1) reinforced concrete highway crossing; and installing one (1) reinforced concrete highway underpass. <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

**Elmo Water and Wastewater Improvements**, Pablo, MT, Salish & Kootenai Housing Authority, Indian Preference, Bid Due Date: June 23, 2004, Morrison Maierle 542-8880

**Stevensville Accessibility Design/Build**, RFP-R1-16-04-888, Bid Due Date: June 29, 2004, Bitterroot National forest, Ravalli County, MT, Design and construction of a reception counter/work space; removal of existing handicap ramp, design and construct new handicap ramp; design and construct roof over new ramp and re-roof entire Stevensville District Office; design and construct visitor parking, including 1 handicap accessible parking space; design and construct accessible ramp and install new ADA accessible doors on the Stevensville Ranger District. Diane Thompson, Procurement Technician, 406-329-3889, 406-329-3876, [dkthompson@fs.fed.us](mailto:dkthompson@fs.fed.us) [http://www.epa.gov/spg/USDA/FS/03R6/RFP\\_R1-16-04-888/listing.html](http://www.epa.gov/spg/USDA/FS/03R6/RFP_R1-16-04-888/listing.html)

**North Entry Landscaping and Sign**, STPE 5299(62) City of Great Falls, Bid Due Date: June 16, 2004, L'Heureux Page Werner, Great Falls, Great Falls engineering Office.

## **MDT CIVIL RIGHTS BUREAU**

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager,  
rejohnson@state.mt.us (800) 883-5811

Elaine Hodgkin, DBE Supportive Services Assistant  
Manager, ehodgkin@state.mt.us (800) 883-5811

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592  
[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/) and click on Civil Rights Bu-

## **Inside this issue:**

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DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001



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HELENA, MONTANA 59620**



Volume 4, Issue 7

*Promoting the growth of Disadvantaged Business in Montana*

July 2004

Request Quotes from DBE Companies on-line at

<http://www.mdt.state.mt.us/cntrct/contract.htm>

**"DBE QUOTE REQUEST"**

It's quick and easy..... It's just a click away....

MT-certified DBE companies receive it the same day



### Watch Your Mail

**Bidders's Survey  
&  
Request for Payment Info  
to Subcontractors  
Coming Soon**

All contractors and consultants for MDT will receive a bidder's survey to complete. It is a one-page form and is needed to help calculate the DBE goal for the next federal fiscal year.

The Federal regulations require MDT to track actual payments rather than subcontract amounts to subcontractors to determine DBE participation in the Montana highway program. The DBE Program office will be sending a letter to all prime contractors with awarded projects over the last twelve months asking for their assistance in providing payment information to all subcontractors on these projects.

## Way to go!

These companies achieved high DBE participation on their MDT highway construction projects with 0% project specific DBE goals on the last bid letting!

<b>MONTANA MATERIALS, INC.</b>	<b>28.80%</b>
<b>SCHELLINGER CONSTRUCTION</b>	<b>7.28%</b>
<b>MONTANA LINES INC (as Prime)</b>	<b>62.72%</b>

## Upcoming Dates

**Next MDT Bid Letting is July 22, 2004**

**(Advertised June 24, 2004)**

### In the KNOW Zone

**When there are no DBE project goals....**



It is the responsibility of Montana Department of Transportation to ensure the yearly DBE goal of 6.29% is met during the 2004 federal fiscal year of October 1, 2003 to September 30, 2004 for our federal-aid highway projects. Through that process, MDT gives the prime contractor the

opportunity to meet the goal voluntarily via race neutral. If the DBE participation is above the yearly goal, there will be no project specific goals. However, MDT strongly encourages prime contractors to still use DBE companies on those projects with no DBE goals.

Remember, the yearly goal still needs to be met. If DBE participation falls below the yearly goal, you will see project-specific DBE goals.

It is much better for the contracting community to continually use DBE companies on as many projects as possible throughout the year. It is quite challenging to all parties to play catch up at the end of the year. Thank you.

### DBE GOAL & PARTICIPATION... (For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 8.10%

MDT post the updated DBE Goal and participation on the Contractor's System web page at  
<http://www.mdt.state.mt.us/cntrct/contract.htm>





## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

Promatech, Inc.	Yvette Strehle	Riverside, NJ	Construction management and inspections and cost estimating.
Interspace Airport Advertising	Marianne Kaelberer	Allentown, PA	An airport advertising concessionaire.
Landmark Design, Inc.	Jan Striefel	Salt Lake City, UT	Landscape architecture work, work primarily in Utah, future work in Montana.

### Recently Re-Certified DBE Companies

Hardrives Construction, Inc.	Jim Bailey	Billings, MT	Grading, pipe, excavation, culvert installation, places dirt & aggregate, asphalt paving, concrete forming and finishing, crack sealing.
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**FRIENDLY REMINDER.....** DBE Quarterly Reports are due July 30th

Forms are available on-line at <http://www.mdt.state.mt.us/civilrights/>

## As Read MDT June 27, 2004 Bid Letting Results

Project #	Prime	Low Bid Amount	Project DBE Participation \$ / %	
NH 1-9(38)573 Oswego - E & W	E H Oftedal & Sons, Inc.	\$ 7,011,759	\$ 108,620.03	1.55%
STPS 323-1(16)25 40 KM South of Ekalaka - South	Frost Construction	\$ 6,069,968	\$ 40,391.00	0.67%
BR 32-1(11)34 West Fork Poplar River-27 KM S of Scobey	Sletten Construction	\$ 3,054,394	\$ 0.0	0.0%
NH 22-3(8)81 / NH 22-3(9)88 Culbertson - North / Culvert N. of Culbertson	Riverside Contracting, Inc.	\$ 1,511,991	\$ 0.0	0.0%
NH-CM 60-2(62)91 10th Ave S - 26th to 38th-Great Falls	United Materials of GF, Inc.	\$ 1,937,326	\$ 111,216.66	5.74%
CM 8116(6) Mount Ave-Russell to Hill -Msla	Montana Materials DBA LS Jensen	\$ 715,388	\$ 206,065.29	28.80%
STPHS 5809(20) 2000-N Montana INT IMP-Helena	Montana Lines, Inc.	\$ 395,085	\$ 247,781.90	62.72%
BH 9029(32) Madison River - 52 KM S Ennis	Sletten Construction	\$ 732,836	\$ 0.0	0.0%
CM 6714(5) / CM 6715(2) Center Street Kalispell	Schellinger Construction Co.	\$ 343,141	\$ 24,980.55	7.28%
CM 5805(9) / CM-BH 5815(5) Benton-Custer to Wilder	Helena Sand & Gravel	\$ 559,460	\$ 0.0	0.00%
BR 420-1(4)0 Sheep Creek - Absarokee	Bullock Contracting L.L.C.	\$ 183,304	\$ 0.0	0.00%



## SPOTLIGHT

Darryl Red Eagle is the new Tribal Employment Rights Office (TERO) Director for the Fort Peck Reservation.



Ann Lambert & Darryl Red Eagle

Darryl works closely with Ann Lambert, advisor to the Fort Peck Tribal Council. Please call Darryl at 406-768-5807 to help you with your contract work on the Fort Peck reservation.

### CONTRACTOR REGISTRATION NEWS NUGGETS

By Windy Knutson

The Contractor Registration Unit has updated its website to show an up-to-the-minute listing of construction contractors registered with the State of Montana. Contractor Registration is only required for construction businesses that have employees and also includes corporations and manager-managed limited liability companies.

In contrast, Contractor Registration is voluntary for contractors without employees.

<http://erd.dli.state.mt.us/wcregs/mtcontractor.asp>

### Quote of the Month

Courage is doing what you're afraid to do.  
There can be no courage unless you're scared.

Eddie Rickenbacker (1890-1973)

## "Lowering Your Workers' Compensation Costs"

by Sean Thatcher  
Montana Building Industry Association

As many of you may already know, the cost of workers' compensation insurance has become very expensive. When you add that to the list of increasing costs of everything else in your business, you will do almost anything to reduce these costs wherever you can. Lowering your workers' compensation costs is a good start, and it is simple and effective. Here are some things that you need to know in order to reduce your workers' compensation costs:

1. Obviously you need to decrease the number and the costs of injuries on the job. Ways to do this are to have company policies and procedures, safety guidelines and training programs in place and use them.
2. When hiring, have proper pre-screening procedures in place and use them with every hire. Never hire an employee as an act of desperation.
3. Require a standard job application from everyone that you are considering for the position. This makes it easier to compare employee experience and identify gaps in employment history.
4. Interview all prospective employees using a basic outline of questions. Document their responses and look for things like attitude problems, gaps in employment or high rates of absences at previous jobs.
5. It is critical to get at least two good references before you hire anyone. There is a problem if you can't get good references on an experienced employee.
6. A general orientation and safety orientation are required before the employee begins work. This lets them know what is expected of them and how to perform the job in a safe manner.
7. Provide training on any new equipment the employee will use before they use it, even if the employee claims to have prior experience.
8. Develop a relationship with a local physician, and in the event of a non-life threatening accident take the employee to this doctor or a walk-in clinic. Try to avoid the emergency room.
9. Report the injury to your workers' comp provider immediately. Statistics show that the cost of a claim goes up 10% every day that you wait to report.
10. Investigate the accident and determine what factors were involved. Take the necessary steps to prevent this from occurring again.
11. Bring the injured worker back to work as soon as possible, with light duty work, as part of your Early Return To Work (ERTW) program. This will save money in the long run and encourage your employee to get better.

If you have any questions about reducing your workers' compensation costs or implementing an ERTW program contact the GRIP safety guys: Mark Merrick at 723.8831 or Sean Thatcher at 442.4479. [www.montanabia.com/grip](http://www.montanabia.com/grip)

## Your Responsibility as an Employer—What You Should Know

One of the most difficult parts of being an employer is knowing about all the rules employers are responsible for following. This becomes especially difficult for small employers who do not have a human resources professional on staff and cannot afford to contact legal counsel every time they take a personnel action. Unfortunately, many of the rules for employers vary from state to state, industry to industry, and even from one employer in the same industry to another depending on the number of employees they have.

Probably the greatest variations arise from the differing requirements each state places on employers. While federal law is the same across the country, state requirements can modify or add significant additional responsibilities and/or employee protections an employer must observe.

For example, the federal Age Discrimination in Employment Act prohibits age based discrimination against individuals who are age forty or more. Montana's law, on the other hand, prohibits age based discrimination against all individuals regardless of their age. As a result, a company policy that, for example, limits jobs involving driving a motor vehicle to workers who are more than twenty-five years old would not violate federal law but may violate the stricter Montana law. If the employer operated in different jurisdictions, say Montana and Wyoming, there could be one set of rules under federal law that constitute a minimum standard and a different set of rules in Montana and yet a third set in Wyoming. A few of the ways in which Montana employment laws differ from federal requirements are listed below:



1. Federal law allows employers to use polygraph tests under certain circumstances. Montana law, however, prohibits the use of polygraphs under any circumstances.
2. Montana does not recognize the federal blanket minimum wage and overtime exemption for outside sales representatives. As a result, many outside sales persons working in Montana must receive minimum wage and, when working time exceeds forty hours in a work week, receive overtime.
3. Montana has probably the nation's only law on the subject of wrongful discharge. The Supreme Court recently ruled that the concept of "at-will employment" - the principle that allows employers to terminate employment without stating a business related reason - no longer exists except for probationary employees.
4. Montana has one of the nation's most restrictive laws on the use of employment related drug and alcohol tests.
5. Montana prohibits discrimination based on marital status. Marital status discrimination includes decisions that take into consideration the identity or occupation of a person's spouse. No similar provision exists in federal law.

Another of the challenges faced by employers is separating the "myth" from the reality of their responsibilities. Many common personnel practices can create problems for employers who utilize them improperly. Probably one of the most common mistakes made by employers is mis-classifying workers as "salaried"- believing that the payment of a salary makes an employee exempt from the requirement to pay overtime. While it is true that paying an employee on a salary basis is a requirement to be exempt, several additional standards must be met under both federal and state wage and hour laws. If the other requirements are not satisfied, a salaried employee must still be paid overtime- even if they are paid a salary.

Many employers look to governmental agencies for guidance. Unfortunately, they do not often know that some employment practices are permitted only for governmental employers. Two issues that fall into this category are the use of compensatory time (comp-time) and the practice of requiring employees forfeit vacation they accrued but did not use during a given year. Both of these practices are permitted for governmental employers but can cause problems for private sector employers.

Finally, even though an employer may be completely up to date on any given date, they must take steps to insure that they become aware of changes as they occur at the state and/or federal level. Employers should consider memberships in professional or trade associations that will keep them up to date. Organizations such as the Montana or local Chambers of Commerce or the local chapters of the Society for Human Resource Management provide such opportunities.

A number of Montana specific periodicals are also available including the Electronic Supervisor published by Personnel Plus! of Helena and the Montana Employment Law Letter edited by Billings Attorney Jeanne Bender and published by M. Lee Smith Publishers. Employer may also take advantage of the free employment consultation services available through the Montana Department of labor and Industry.

Being an employer or a supervisor can be one of the most difficult of jobs. If supervisors take the time to learn about their rights and responsibilities the job becomes significantly easier and it can be performed with a minimum of liability to the supervisor's employing organization.

*Jim Nys is a local human resource consultant that owns and manages Personnel Plus! Consulting Services, Inc. in Helena. 406/443-7787 or by email at [jim@personnel-plus.com](mailto:jim@personnel-plus.com)*



## COMPUTER VIRUSES



### Is There Life After Virus?

Advice from Tobe Johnson,  
Consultant for  
Johnson & Associates, Inc.

*"Tobe, I opened an email and the next thing I knew my computer was crashing and I got a message that I had contracted a virus. EVERYTHING I have is on my computer. Can you help me?"*  
**Sound Familiar?**

What exactly is a computer virus? Simply put, a computer virus is a program that copies itself from one diskette or computer to another. A disk or computer that has a virus is said to be *infected*. When an infected diskette is placed in a computer, (or an infected file is emailed to another computer,) the virus can copy itself onto the hard drive of the computer, infecting it as well. If other diskettes are later placed in the computer, the virus can copy itself onto them, infecting them also. This allows a virus to spread itself among many computers. Viruses (for the sake of space, I'm including trojans and worms in my virus definition) range from benign (such as simply printing a message) to destructive (such as erasing files or crashing hard drives).

Unfortunately, computer viruses are probably here to stay in one form or another. As long as there is someone working to stop a virus, it seems someone is working to create a new virus. It's the classic story of the 'good guys' vs. the 'bad guys'.

That said, how does the average consumer protect ourselves from these nasty critters? Here are a few suggestions:

1. **Always run updated** virus protection software on your computer or computers if you have more than one. In addition, keep a current anti-virus subscription to regularly download updates to your virus software. New viruses are being found daily. Your virus protection software must be updated regularly to be effective. Here are a couple good anti-virus software packages.

**Norton Anti-Virus 2004 by Symantec:**

<http://www.symantec.com>

**Bsafe Home Security Suite:**

<http://www.bsafefhome.com/?121994>

**McAfee Virus Scan Pro:** <http://www.McAfee.com/>

2. Many viruses contracted by the typical consumer are downloaded via email over the Internet. Here are some suggestions to minimize your Internet email exposure:
  - a. Find an Internet service provider (ISP) with virus scanning for their email accounts. Some ISP's do, some don't. Their anti-virus software creates one wall between you and the enemy. It may not be 100% effective, but it helps.
  - a. If you receive an email from a person you do not know and it has an attachment, DO NOT open the attachment. Generally, by simply viewing the message, you won't contract the virus. It's when you open the attached document that the virus (payload) is let loose on your

### Computer Viruses—continued.

machine. It doesn't matter if it says 'love-letter-for-you.txt.vbs' or 'inforequested', or 'neighborinfo'. If you don't recognize the sender, don't open the attachment. Period. Microsoft does not send out Windows updates to people via email attachments.

If it's not your wife or husband, you don't need to be looking at the love letter. If you want to know something about your neighbor, go ask him instead of trying to get that 'secret information'. At best, the email is spam. At worst it is a virus. In either case, you don't need it.

3. Don't insert floppy diskettes from a friend or business associate that hasn't been scanned for viruses. Write protect your own floppy diskettes before loaning them out so they don't come back with an attached 'guest'. Write protected disks cannot be infected.
4. Never download software from a web site you don't know and trust. This includes screensavers and 'joke' programs.

So, what do I tell my clients who have a computer crippled by a virus? I tell them to do the same thing I would do if it were me: take it to the computer shop and have them fix it. In most cases (but not all), with the right expertise, your data/information can be saved. There is life after virus.

Tobe Johnson (<http://www.johnsons.net>) is a consultant and project manager for Johnson & Associates, Inc. building Internet web sites for companies. [tobe@johnsons.net](mailto:tobe@johnsons.net).  
406-458-9173 \* \* Toll Free: 866-401-3861

## MCA DBE LIAISON COMMITTEE

The Committee is comprised of members from MDT, DBE companies, subcontractors and contractors.

Donna Taylor	Oftedal
Marny Harrison	Century
Doug Dahlberg	JTL Missoula
Sue Platis	Highway Specialties
Katie Trotter	Poteet Construction
Wade Sellers	United Rentals-Alpine
Pat Bibeau	PS Contracting
Ted Burch	FHWA
Leslie Wootan	MDT DBE Program
Rebecca Johnson	MDT DBE - SS Program
Elaine Hodgkin	MDT DBE - SS Program

The focus of this committee is to share ideas to build a better DBE program in Montana that will compliment the contracting community as a whole, and assure continuation of the flow of funds for highway projects.

The Committee plans to meet monthly. If you would like to have your ideas, concerns and/or issues brought up for discussion, please contact Rebecca Johnson or Elaine Hodgkin at 800-883-5811.

## **MDT Highway Construction Projects**

### **Invitation for Bids, Letting of July 22, 2004**

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on July 22, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

**Dutton North & South**, Federal Aid Project No. IM 15-6(35)309, cold mill, grading, hot plant recycled and plant mix surfacing, drainage, striping, fencing and bridge rehabilitation on 20.3 on the Dutton - North & South project on I-15 in Teton County.

**40 km North of Havre** - No. 10<sup>th</sup> St. - 1<sup>st</sup> to 5<sup>th</sup> Avenue - Havre & 13<sup>th</sup> Street - Monroe to 1<sup>st</sup> - Havre Federal Aid Project Nos. STPS 233-1(8)22, CM 5707(3) & CM 5709(7), Grading, gravel surfacing, plant mix bituminous surfacing, seal and cover on 13.924 kilometers of the 40 kilometers North of Havre - North project in Hill County.

**Musselshell County Line - Northwest**, Federal Aid Project No. STPS 310-2(5)26, Grading, gravel and plant mix surfacing on approximately 11.5 kilometers in Yellowstone and Musselshell Counties.

**Second Street - Harlowton**, Federal Aid Project No. STPP 14-3(16)99, Cold milling, plant mix surfacing overlay, seal and cover, sidewalk and pavement markings on the Second Street - Harlowton project in Wheatland County.

**Swamp Creek - East (Test Berms)**, Federal Aid Project No. NH 1-1(73)49, Construct test berms, install monitoring equipment and monitor settlement at two locations on the Swamp Creek - East (Test Berms) project in Lincoln County.

**Chinook to K Street - Livingston & Geyser - Park to F Street - Livingston**, Federal Aid Project Nos. CM 7406(5) & CM 7410(2), Overlay, seal and cover within the city limits of Livingston in Park County.

**1998 - D2- Slope Flattening**, Federal Aid Project No. STPHS 0002(625), Slope flattening work at four locations on the 1998 D2-Slope Flattening project in Beaverhead, Madison and Gallatin Counties.

**Culvert - SW of Charlo**, Federal Aid Project No. STPS 212-2(14)11, 1200 mm culvert, grading, gravel surfacing, plant mix surfacing, seal and cover on the culvert - SW of Charlo project in Lake County.

**Retaining Wall Repair - South of Dillon**, Federal Aid Project No. IM 15-1(98)52, Repair damaged reinforced concrete retaining wall and rock fall fence, including steel posts, chain link fencing, steel cable and cable anchors on the Retaining Wall Repair—So of Dillon project in Beaverhead County.



Montana Community Development Corporation & Small Business Development Center is offering training classes entitled: "Evaluating a Business Idea", August 3 - Missoula, August 5 - Hamilton. All classes are \$5 and registration is required. Contact Kaye Sloan at 406-728-9234 ext. 200.

NxLevel Entrepreneur Course is coming up in September in Missoula and Ravalli County locations. Call Steve Grover at 406-728-9234 ext 206 for details.

The Dickinson Lifelong Learning Center offers a 6 week course quarterly entitled "Starting Your Own Business" taught the Small Business Development Center and SCORE (Service Corp of Retired Executives). Call 549-8765 for the next class time.

The SBDC is a funded program of the U.S. Small Business Administration. SBA's funding is not an endorsement of any products, opinions, or services. All SBA funded programs are extended to the public on a nondiscriminatory basis. Reasonable arrangements for persons with disabilities will be made if requested at least two weeks in advance. Contact Steve Grover at (406) 728-9234 ext. 206."

- ♦ **Basic Supervision**, July 26 - Kalispell, July 27 - Missoula, July 28 - Helena, July 29 - Bozeman, July 30 - Billings. Cost: \$333 (both sessions), \$179 (individual sessions). Contact Padgett Thompson [www.pttrain.com](http://www.pttrain.com) or at 800-258-7246. This seminar is structured for supervisors, managers, department heads, team leaders -- anyone who supervises people.
- ♦ **Beginning QuickBooks**, July 28 - Helena. Cost \$75. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Instructors - Anderson ZurMuehlen & co., CPA's & Business Consultants.
- ♦ **How to Design Brochures, Ads, etc.**, July 13 & 14 - Bozeman, July 15 & 16 - Billings. Cost \$395. Contact National Seminars Group, [www.natsemcom](http://www.natsemcom) or 800-258-7246. An intensive two-day workshop that immerses you in the essentials of professional-quality desktop publishing and graphic design.
- ♦ **How to Supervise People**, July 19 - Kalispell, July 20 - Missoula, July 21 - Helena, July 22 - Butte, July 23 - Great Falls. Cost \$179. Contact Fred Pryor Seminars [www.pryor.com](http://www.pryor.com) or 800-556-2998.
- ♦ **Intermediate Excel**, July 14 - Helena. Cost \$50. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Learn advanced formulas and calculations, charts and graphs and how to link spreadsheets. Instructor - Nancy Clark.
- ♦ **Montana Women 2004**, July 29 - Kalispell. Cost \$20. Contact Senator Conrad Burns - Washington Office [www.burns.senate.gov/index.cfm](http://www.burns.senate.gov/index.cfm). A women's conference looking at issues facing Montana women today. Keynote speaker will be U.S. Dept. of Labor Secretary, Elaine Chao.
- ♦ **Powerful Communication Skills for Women**, July 8 - Helena, July 9 - Missoula. Cost: \$139.00 Contact National Businesswomen's Leadership Association, [www.natsemcom](http://www.natsemcom) or 800-258-7246. You'll learn step-by-step how to be seen as a highly credible, authoritative communicator who commands attention and gets things done.
- ♦ **Target Marketing to Improve Your Sales**, July 14 & 21, Helena. Cost: \$30. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. This 3-session class addresses the importance of selecting target markets for your products and services. Learn the process of target marketing and discover sources of data that you can mine for customer information. Instructor - Sheldon Bartel.

# July Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
4	5	6	7	8 ♦ Powerful Communication Skills for Women – Hlna	9 ♦ Powerful Communication Skills for Women – Msla	10
11	12	13 ♦ How to Design Brochures, Ads, etc. – Bzm	14 ♦ How to Design Brochures, Ads, etc. – Bzm ♦ Intermediate Excel – Hlna ♦ Target Marketig to Improve Your Sales- Hlna	15 ♦ How to Design Brochures, Ads, etc. – Blgs	16 ♦ How to Design Brochures, Ads, etc. – Blgs	17
18	19 ♦ How to Supervise People - Kspl	20 ♦ How to Supervise People - Msla	21 ♦ How to Supervise People – Hlna ♦ Target Marketig to Improve Your Sales- Hlna	22 ♦ How to Supervise People – Butte	23 ♦ How to Supervise People – Gt.Falls	24
25	26 ♦ Basic Supervision - Kspl	27 ♦ Basic Supervision - Msla	28 ♦ Basic Supervision – Hlna ♦ Beginning QuickBooks – Hlna	29 ♦ Basic Supervision – Bzm ♦ Montana Women 2004 - Kspl	30 ♦ Basic Supervision - Blgs	31
1	2	3	4	5	6	7



## More MT Contracting Opportunities

**Construct Grade Control Structures**, Bureau of Reclamation, Bid Due Date: July 26, 2004, Excavate and construct grade control structures within Cave Gulch near Kim's Marina,

Canyon Ferry Reservoir. Tom Carrillo 406-247-7301  
<http://www.epa.gov/spg/DOI/BR/BR/04S0670024/listing.html>

**Foothills Road Restoration**, RFP\_R1-16-04-418, Bid Due Date: June 18, 2004, Lolo National Forest, Missoula, Reconditioning of approximately 8.5 miles of Foothills Road Diane Thompson, 406-329-3889, [dkthompson@fs.fed.us](mailto:dkthompson@fs.fed.us)  
[http://www.epa.gov/spg/USDA/FS/03R6/RFP\\_R1-16-04-418/listing.html](http://www.epa.gov/spg/USDA/FS/03R6/RFP_R1-16-04-418/listing.html)

**Arlene Corridor Improvements**, Grand Avenue to Poly Drive, City of Billings, Bid Due Date: July 20, 2004,  
<http://ci.billings.mt.us/Online/rfp.php>

**Lease Water Dispensing Operation**, City of Billings, Bid Due Date: July 19, 2004, <http://ci.billings.mt.us/Online/rfp.php>

### Montana Department of Transportation

**Joliet West Chip Seal**, 307222, MDT, Bid Due Date: July 13, 2004

**Wildlife Fence on I-15 South of Helena**, 307228, Bid Due Date: July 15, 2004

**Relocation of Halfway Ranch House**, Stillwater County, 307218, Bid Due Date: August 6, 2004

**Crack Sealing 4 Sites Near Miles City**, 307233, Bid Due Date: July 14, 2004

**Crack Sealing Southeast of Forsyth**, 307234, Bid Due Date: July 14, 2004

**Demolition/Removal of State Owned Properties**, 307231, Bid Due Date: Aug 12, 2004

**Chip Seal North of Seeley Lake**, 307237, Bid Due Date: July 15, 2004

**Crack Sealing Alberton East & West**, 307241, Bid Due Date: July 16, 2004

### Montana Department of Environmental Quality

**Wickes Smelter Site Reclamation Project**, IFB405003 WICKES, Bid Due Date: July 15, 2004  
<http://www.discoveringmontana.com/doa/gsd/osbs/default.asp>

## Upcoming Great Falls Airport Construction Project

Hopes are high in Great Falls for an economic boost expected to follow work on the airport, according to a report in the Great Falls Tribune.

Proposed improvements to the main runway at Great Falls International Airport would allow operations in low visibility during unfavorable weather. The expanded accessibility could be attractive to businesses dependent on air transportation like the FedEx hub already in Great Falls.

The project is expected to cost \$29 million and begin in 2006. Bids for the construction contract will be taken next year.

Article is from Western Business Publication, May 2004 issue

## MONTANA CONFERENCE ON RACE 2004

**August 12 & 13 (Helena)**

**Registration:** Before July 30, 2004: \$55, After \$65

For more information go to WEBSITE below:

<http://www.mdt.state.mt.us/tribal/mcr2004.html>



## **MDT CIVIL RIGHTS BUREAU**

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, 406-444-6337

Rebecca L. Johnson, DBE Supportive Services Manager,  
rejohnson@state.mt.us (800) 883-5811

Elaine Hodgkin, DBE Supportive Services Assistant  
Manager, ehodgkin@state.mt.us (800) 883-5811

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592  
[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/) and click on Civil Rights Bu-

## **Inside this issue:**

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250 copies of this public document were published and distributed at an estimated cost of 87 cents per copy for a total of \$217.50. MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.



DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001



STATE DOCUMENTS COLLECTION

JUL 16 2004

MONTANA STATE LIBRARY  
1515 E 5TH AVE.  
HELENA, MONTANA 59620



## Way to Go!

This company achieved high DBE participation on their awarded MDT highway construction projects with 0.0% project specific goals on the last bid letting!

**Schellinger Construction Co. 7.78%**

## Video Conferencing!

*A new innovative way of participating in meetings without being at the meeting.*



MDT uses video conferencing, referred often as "polycom conferencing," for meetings. Several of the pre-construction and pre-bid meetings currently have this service available.

MDT has video conferencing capabilities at the headquarters building in Helena and each district office in Billings, Great Falls, Missoula, Butte and Glendive. Video conferencing will be set up in the very near future in MDT's area offices in Lewistown, Bozeman, Havre, Miles City, Wolf Point and Kalispell.

## CONTRACT NUMBERS!



Watch for the contract number assigned to MDT highway projects - it is a five digit number and is posted on MDT bid documents.

In the near future, the Civil Rights Bureau will ask you for this number when referring to a project question.

## Upcoming Dates

**August 19, 2004 next MDT Bid Letting** will be held in Bozeman at the Holiday Inn, 5 Baxter Lane. Bids are due in the Helena office by August 18<sup>th</sup> until 12:00 noon or by August 19<sup>th</sup> from 8:00am to 9:00am at the Holiday Inn, Bozeman, MSU Rooms.

**November, 2004—Montana DBE Conference** to be held in Helena.

- When is the best time for you to attend?
- Would November 4th and 5th be convenient, after the bid letting?
- What about a 1-2 day conference?
- What training or topics would you like to see at the conference?

Some ideas the DBE Supportive Services office has for the conference is Marketing, Business Card Exchange, Negotiating, Bookkeeping Systems, Entrepreneurship, Brainstorming session, etc.

\* Send us an email at [rejohnson@state.mt.us](mailto:rejohnson@state.mt.us) with your ideas. \*

## Upcoming Services

**September 1st, MDT Contract Plans** will start training their employees on Bid Express software application for MDT highway construction projects. Bid Express permits prime contractors to electronically submit their bids and bid bond verifications.

There is a monthly fee associated with this service and a charge for getting a digital signature. This service is planned to be available to the prime contractors in the spring of 2005. Prime contractors will have the option to continue submitting their bids manually or to use Bid Express to submit their bids electronically. MDT Contract Plans also plans to begin a pilot testing/training program with several prime contractors on the use of Bid Express.

## DBE GOAL & PARTICIPATION...

(For Federal-Aid MDT Projects)

FFY 2004 DBE GOAL IS 6.29%

FFY 2004 DBE PARTICIPATION IS 7.79%



MDT has posted this information on the Contractor's System web page at <http://www.mdt.state.mt.us/ctrnct/contract.htm>  
Click on the web site above.

# **NATIVE AMERICAN BANK CHOSEN AS DOT SHORT TERM LOAN LENDER**

In line with its commitment of promoting economic growth in Native American Communities, the Native American Bank has taken yet another important step in ensuring that Native American, Hispanic, and other small and disadvantaged business people have the chance to become successful entrepreneurs. Thanks to the efforts of Pam Nesius, Senior Vice President of the Native American Bank (NAB) and her staff, the bank has been named to serve as one of the U.S. Department of Transportation's Short Term Lending programs (STLP) lead banks. The STLP provides lines of credit to disadvantaged business enterprises (DBEs) including minority- (MBEs) and woman-owned businesses (WBEs), allowing them to successfully compete for transportation contracts.

"We are excited about bringing Native American Bank into the program," said Nancy Strine, Manager, Short Term Lending Program, Office of Small and Disadvantaged Business Utilization. "To provide the financial assistance for the Native American community to successfully compete for transportation contracts while at the same time servicing the western part of the United states for all eligible DBEs and small businesses." Through a cooperative agreement with the DOT, NAB will serve fifteen states forming the north and southwest United States, including:

Arizona	Utah	Nevada
Kansas	New Mexico	Colorado
California	Nebraska	Oregon
South Dakota	North Dakota	Washington
Montana	Idaho	

What this means to Native Americans, Hispanics, other minority and women populations, Nesius said, is the opportunity to open a maximum credit line of \$750,000 to meet the short-term costs of a contract with the Department of Transportation.

The most important step to participating in this important program is to obtain certification as a Disadvantaged Business Enterprise (DBE). A DBE must be certified by any agency applying DOT certification guidelines, or by the U.S. Small Business Administration Section 8 (a) Program; Small Disadvantaged Business (SDB); HUBZONE Empowerment Contracting Program; and Service-disabled Veterans.

After certification is received, a company is eligible to obtain working capital by borrowing against each invoice. Repayment is made as the prime contractor or project owner pays an invoice, which is done jointly to the borrower and the STLP bank. The payment is made directly to the bank, which repays the amount owed and transmits the balance to the borrower.

Though the bank is committed to providing working capital in Indian Country, this does not mean that only Native Americans can be served. "We welcome business owners of all minority populations to come in and take advantage of our services and assistance in obtaining Short Term Lending Program loans, as well as our other services."

To obtain a complete checklist or to download an STLP application please go to the DOT website at [www.osdbuweb.dot.gov](http://www.osdbuweb.dot.gov). A \$150 non-refundable application fee is required with the application. Or, you can contact Native American Bank Corporate Offices at 303-988-2727, or a local Montana bank for more information.

Native American Bank's corporate office is in Denver, CO:

Native American Bank  
165 S. Union Boulevard, Suite 1000,  
Denver, CO 80228  
Phone: (303) 988-2727 Fax: (303) 988-5533

Its principal banking office in Montana is:

Native American Bank—Browning, Montana  
125 North Market Square  
P.O. Box 730  
Browning, MT 59417  
Phone: (406) 338-7000 Fax: (406) 338-7008  
Toll Free: (800) 307-9199

A new banking office has recently opened at Stone Child Community College on the Rocky Boy Reservation in Montana:

Native American Bank—Rocky Boy  
Bonneaux Road, RR1 Box 1082,  
Box Elder, MT 59521,  
Phone: (406) 395-4355.

**NAB** NATIVE AMERICAN BANK, NA



MDT and contractor crews working on 19th and Main Road Project in Bozeman, MT, July 14, 2004. Prime is JTL Belgrade.



# August Business Training Calendar

<i>Sun</i>	<i>Mon</i>	<i>Tue</i>	<i>Wed</i>	<i>Thu</i>	<i>Fri</i>	<i>Sat</i>
<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>	<b>5</b> ♦	<b>6</b> ♦	<b>7</b>
<b>8</b>	<b>9</b> ♦ Biz Workshop-Butte	<b>10</b> ♦ Biz Workshop-Havre ♦	<b>11</b> ♦ Intermediate QuickBooks - Helena	<b>12</b> ♦ Evaluating a Biz Idea- Hamilton	<b>13</b> ♦	<b>14</b>
<b>15</b>	<b>16</b> ♦	<b>17</b> ♦	<b>18</b> ♦ WNET - Kalispell ♦ Business Start-Up 101 - Bozeman	<b>19</b> ♦ WNET - Missoula	<b>20</b> ♦	<b>21</b>
<b>22</b>	<b>23</b> ♦ Workplace Safety & OSHA Compliance 2004 - Missoula ♦ OSHA 501 Trainer Course - Missoula ♦ Biz Worksho-Kspl	<b>24</b> ♦ Workplace Safety & OSHA Compliance 2004 - Great Falls ♦ OSHA 501 Trainer Course - Missoula	<b>25</b> ♦ Workplace Safety & OSHA Compliance 2004 - Helena ♦ OSHA 501 Trainer Course - Missoula ♦ BOBR - Helena	<b>26</b> ♦ Workplace Safety & OSHA Compliance 2004 - Bozeman ♦ OSHA 501 Trainer Course - Missoula	<b>27</b> ♦ Workplace Safety & OSHA Compliance 2004 - Billings	<b>28</b>
<b>29</b>	<b>30</b>	<b>31</b>	<b>1</b>	<b>2</b>	<b>3</b>	<b>4</b>

The Dickinson Lifelong Learning Center offers a 6 week course quarterly entitled "Starting Your Own Business" taught by the Small Business Development Center and SCORE (Service Corp of Retired Executives). Call 549-8765 for the next class time.

- ♦ **Business Start-up 101**, August 18 – Bozeman. Cost: FREE – advanced registration is required. Learn these business start-up basics: Feasibility analysis, Business plans, Financing projections, Licensing, Forms of organization, and Sources of financing. Contact: Tracey Jette at 406-587-3113 or [botmlne@bozeman.org](mailto:botmlne@bozeman.org).
- ♦ **Biz Workshop - From Filing to Finance**, August 9 – Butte, August 10 – Havre, August 23 - Kalispell. Cost: FREE. This workshop will provide guidance on how to use the Internet to assist in registering your business and filing annual reports. How to determine tax advantages of various organizational structures, financial assistance to start, expand or buy a business. Contact: Pat Haffey at 406-4443665 or [sosbusiness@state.mt.us](mailto:sosbusiness@state.mt.us).
- ♦ **Biz Workshop - The Feasibility of Starting Your Own Business**, August 10 – Great Falls. Cost: FREE. This workshop will include: business idea, perseverance and persistence, financing your business, developing a business plan, cash flow, management skills, support. Contact: Pat Haffey at 406-4443665 or [sosbusiness@state.mt.us](mailto:sosbusiness@state.mt.us).
- ♦ **BOBR**, August 25 – Helena. Cost: FREE. The Business Over Breakfast Roundtable Learning Series provides business owners the opportunity to openly discuss and learn about issues affecting small businesses. Contact: Lorena Carlson at 406-441-1081 or [lorena.Carlson@sba.gov](mailto:lorena.Carlson@sba.gov).
- ♦ **Evaluating a Business Idea**, August 12 – Hamilton. Cost: \$5.00, pre-registration required. This workshop will give participants the opportunity to examine their business idea and learn how to formulate a business plan. Contact: Kay Sloan at 406-728-9234 x 200 or [ksloan@mtcdc.org](mailto:ksloan@mtcdc.org).
- ♦ **Excelling as a First-Time Manager or Supervisor**, August 13 – Billings. Cost: \$199.00. This course will provide you with Course #156813. SkillPath Seminars, [www.skillpath.com](http://www.skillpath.com) or 800-873-7545.
- ♦ **Intermediate QuickBooks**, August 11 – Helena. Cost: \$75.00. Contact Stephanie Hilger [shilger@ctibrc.org](mailto:shilger@ctibrc.org) or 406-443-0800. Instructors – Anderson ZurMuehlen & co., CPA's & Business Consultants.
- ♦ **OSHA 501 Trainer Course**, August 23 – 26–(4 sessions) – Missoula. Cost: \$475.00. Montana Department of Labor and Industry, [www.montanafety.com](http://www.montanafety.com) This course is designed to present detailed information on how the provisions of the OSHA Act may be implemented in the workplace.
- ♦ **Workplace Safety & OSHA Compliance 2004**, August 23 – Missoula, August 24 – Great Falls, August 25 – Helena, August 26 – Bozeman, August 27 – Billings Cost: \$199.00. National Seminars Group, [www.natsem.com](http://www.natsem.com). This workshop offers cost –effective solutions you need to keep your people safe and to keep OSHA inspectors off your doorstep!
- ♦ **Assistance for Business Clinic**, August 18 - MSU Billings/Library Room 148. Cost: \$40. This clinic is geared to employers/business owners and will give you up-to-date information on employment, tax laws, tax credits and services available at your local Workforce Centers. You will receive explanations on law requirements and help in filling out required forms for your business.
- ♦ **WNET**, August 18 – Kalispell. Cost: FREE. WNET provides women entrepreneurs the opportunity to establish a support network of women who understand the challenges and opportunities facing women entrepreneurs. Contact: Denise Smith at 406-758-2803.
- ♦ **WNET**, August 18 – Missoula. Cost: FREE. WNET provides women the opportunity to establish a support network of women who understand the challenges and opportunities facing women entrepreneurs. Contact: Martha Ripley at 406-543-6033 or [mripley@nelsoncompanies.net](mailto:mripley@nelsoncompanies.net).



## ABOUT COMPUTER POP-UPS

Another great article by Tobe Johnson —

### Is My Computer Possessed??!!

There have been times I had the feeling that my computer might be possessed. Why? Because it seems that every time I started a browsing session, extra windows either pop into being--obscuring what I'm trying too look at--or sneakily slip under my open window, lurking there for me to discover later on.

What's worse, these unwanted windows can range from the merely annoying to the downright blush-inducing. They slow down my work, cause distraction, and on occasion--when dozens of windows suddenly began exploding across my screen--have caused my system to freeze completely.

The good news: no religious rituals are needed. My computer wasn't taken over by a malignant force; it's just the online advertising industry trying to get its message across, albeit in a very annoying way. The bad news: I can't expect the onslaught to abate anytime soon. Statistics show that pop-up ads do get noticed, and getting seen means making money to many advertisers, thus pop-ups will continue to be a nuisance for the foreseeable future. Does that mean you're stuck with them? Not quite. Your options range from venting about them to taking action against them in the form of software that blocks them from appearing. Where on the Web can you go to squash pop-ups? Here are a few places to start.

**Pop-Up Stopper**— <http://www.panicware.com> This solution from Panicware offers a free version as well as a more advanced paid version. It is aimed at Internet Explorer users, and says it saves bandwidth by preventing extraneous windows from even loading, let alone showing up. The pay version cost \$29.95 and comes with a money back guarantee.

**CoffeeCup Popup Blocker 3.5**— <http://www.coffeecup.com/> This program blocks pop-ups, and you can hold the Ctrl key to allow certain pop-ups. The blacklist allows you to block pop-ups from any site, indefinitely, and you can also block adult content and messenger ads. The program provides the option to clear your cookies and temporary Internet files as well. Price: \$20.00 with a download trial version that expires after 14 days if you don't purchase it.

**Bsafe Online**— <http://www.bsafefhome.com/?121994> The Bsafe Online Filter offers a clean, objectionable free environment for your home or office. Their filtering system is truly unique with the ability to block pop-ups as well as a variety of other potentially objectionable web sites from online porn to gambling. It's a snap to set up, and they maintain extensive databases of objectionable sites so you don't have to worry about it. After a 10-day free trial, the filter will stop working unless you purchase it. Cost: \$49.95 per year. The basic service can be loaded onto I-3 computers, which makes it nice for the home or small office.

**STOPzilla**— <http://www.stopzilla.com> STOPzilla earned c|net's Editors choice and has also earned the coveted '5 cows' from Tucows.com. STOPzilla provides a fully integrated Adware Blocker preventing 3rd party stealth programs from spawning ads on your computer, has an integrated Spyware Squasher to eliminate prying eyes, Cookie Killer with the ability to kill cookies on command as well as a History Eraser.

ZILLAsmart technology updates STOPzilla on the fly to insure you're always running the latest version. They have a 30 day 100% satisfaction guarantee. Cost: \$19.95 per year for the subscription.

Doing a simple search for pop up blocker in any search engine, at cnet.com, tucows.com shareware.com or other software repository will give you a plethora of additional software options. Thanks to these resources, I think I can finally bid a less-than-fond farewell to my nasty pop-up demons. Care to join me in the exorcism?

About the Author: *Tobe Johnson* (<http://www.johnsons.net>) is a consultant and project manager for Johnson & Associates, Inc. building Internet web sites for companies. [tobe@johnsons.net](mailto:tobe@johnsons.net)

(406) 458-9173 Toll Free: 866-401-386



### SBA Office of the National Ombudsman—continued

- Conducts Hearing and Roundtables across the country to hear from small businesses about their Federal Regulatory concerns
- Rates Federal Agency responsiveness to small business in an Annual Report to Congress
- Encourages Federal Agencies to adopt a "Help You" vs "Got You" attitude.

**AND** .....that the National Ombudsman can help if:

- You are a small business, small government entity or small non-profit organization
- Your comment is directly related to a federal agency with regulatory authority over small business
- A compliance or enforcement action has been taken against your small business or other small entity by a Federal Agency.

Peter Sorum concluded with a note of assurance that all concerns and/or issues will be addressed, stating that not all responses would be favorable but all would be addressed and would receive a response. He then opened the floor to the public for testimonies of unfair Federal regulations.

Six businesses testified to unfair Federal Regulatory practices affecting their businesses. The general consensus was that businesses did not want to testify against any Federal Agency for fear of retaliation. Peter Sorum stated that the National Ombudsman Office would take the appropriate actions should any business receive any retaliation for lodging a complaint against any Federal Agency. He repeatedly assured the audience that retaliation is unacceptable and would not be tolerated.

Peter Sorum provided his phone number and email address and encouraged individuals to contact their local SBA office or himself on any issues they need addressed.

[peter.sorum@sba.gov](mailto:peter.sorum@sba.gov) or 202-19-1761

#### Other Helpful E-mail Addresses:

[www.sba.gov/ombudsman](http://www.sba.gov/ombudsman) \*\*\* [www.sba.gov/advo](http://www.sba.gov/advo)  
[www.sba.gov](http://www.sba.gov) \*\*\* [www.business.gov](http://www.business.gov)

# MDT HIGHWAY CONSTRUCTION PROJECTS

## Invitation for Bids, Letting of August 19, 2004

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 12:00 noon on August 18 2004, Bids received in Helena by 12:00 noon will be taken to Bozeman, MT. Sealed bids may also be hand delivered for acceptance to the MDT desk at Holiday Inn, MSU Rooms, Bozeman, MT from 8:00am to 9:00am on August 19, 2004, the bids being publicly opened and read thereafter at 10:00 am. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

1. **Safety Improvements – Old US 312 Federal Aid Project No. SFCX-STPHS 56(54)** Grade, gravel, drainage, irrigation structures, bridge replacement, plant mix bituminous surfacing, guardrail, signing and pavement markings on 3.3 kilometers of the Safety Improvements – Old US 312 project in Yellowstone County. The project begins east of the intersection of US 87 and Main St. (RP 0.2) and proceeds east past Barry Drive (RP 2.3), east of the City of Billings. Contract to be completed in 120 Working Days. The estimated construction cost of this project is between \$3,000,000.00 and \$6,500,000.00. The Disadvantaged Business Enterprises' contract goals are 0.0%.
2. **Guardrail – West Glacier – SE NHTSA 1-2(126)153**  
Guardrail and bridge rail on the Guardrail-West Glacier-SE project on US 2, in Flathead County. The project begins about 0.1 kilometers southeast of West Glacier (RP 153.4), extending southeast to about 37.3 kilometers southeast of West Glacier (RP 176.5). Contract to be completed in 120 Working Days. The estimated construction cost of this project is between \$900,000.00 and \$3,500,000.00. The Disadvantaged Business Enterprises' contract goals are 0.0%.
3. **Culvert – North of White Sulphur Springs Federal Aid Project No. STPP 60-1(15)12** 3000 mm x 2100 mm reinforced concrete box culvert and approaches on the Culvert – North of White Sulphur Springs project in Meagher County. The project is located on US 89, north of White Sulphur Springs, approximately 18.5 kilometers north of the junction with US 12 at RP 11.5. Contract to be completed in 45 Working Days. The estimated construction cost of this project is between \$90,000.00 and \$300,000.00. The Disadvantaged Business Enterprises' contract goals are 0.0%.

**WORK ZONE  
SAFETY TIP**



It's that time of year again—Summer !  
Work crews need to be aware of travelers on vacation as they generally have only one thing on their minds ... which is...  
Reaching their destination, quickly.



**Please STAY ALERT and STAY ALIVE !**

### *Quote of the Month*

If at first you don't succeed, try, try again. Then quit. There's no point in being a damn fool about it.

~W. C. Fields



## More MT Contracting Opportunities

*We try our best to notify you of other bid opportunities but please be aware that we may not be able to always give this information in a timely manner; therefore, listed below is the Website address of these opportunities where you can look for this information at any time on your own. Please note that information on these websites changes daily. You might want to make these sites a 'favorite' on you Internet page.*

- 050040 CSW Conservation Districts Technical Assistance, Natural streambed and land preservation assistance to conservation districts, Department of Natural Resources and Conservation, **Bid Due Date: August 19, 2004**  
<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>
- 055080 CSW 2003 Northern District Orphaned Well Plug & Abandonment & Site Restoration, Department of Natural Resources and Conservation, **Bid Due Date: September 3, 2004** <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>
- 307250, Lyons Creek Truck Parking Area Maintenance, MT Department of Transportation, **Bid Due Date: August 19, 2004**
- 307260, Lima-Red Rock-Dell Chip Seal, MT Dept of Transportation, **Bid Due Date: August 12, 2004**  
<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>
- Request for Qualifications (RFQ) for Engineering Services for rehabilitation and replacement of the St. Mary Diversion Facilities in Glacier County, Montana. Engineering firms must demonstrate an acceptable combination of knowledge and experience in the design, construction, and operation of irrigation or water storage infrastructure facilities, including geotechnical expertise. For a complete Request for Qualifications (RFQ), visit the DNRC website at [www.dnrc.state.mt.us/news.meetings.html](http://www.dnrc.state.mt.us/news.meetings.html) or contact the DNRC at 406-444-6668. Submittals must be received by the DNRC- CARDD, 1625 11th Avenue, Helena, MT 59620 prior to 5:00 p.m. MST on **Thursday, August 26, 2004**
- Fort Peck Reservation Water Treatment Plant, **Bid Due Date: August 26, 2004**, General site preparation work and construction of six earthen sludge lagoons at the site of a future water treatment plant, approximately 6 miles east of Wolf Point, MT. Plans available at Morrison-Maierle, Inc. 406- 442-3050. There will be a **Pre-Bid Conference** at the Fort Peck Tribal Office, 501 Medicine Bear Road, Poplar, Montana, 59255, at 1:00 P.M. on **Tuesday, August 17, 2004**
- 7<sup>th</sup> Avenue North Storm Main Extension, City of Great Falls, MT, **Bid Due Date: August 18, 2004**, There will be a **Pre-Bid Conference** at the City Engineering Office Conference Room at 1:30 p.m., on **August 11, 2004**
- 10<sup>th</sup> Avenue North Landscape at Malmstrom AFB, MT, FA4626-04-R-0031, Perform landscaping of approximately 5.2 acres at Malmstrom AFB. **Bid Due Date: August 30, 2004**, Department of the Air Force, Air Force Space Command, 341CONS, 7015 Goddard Drive, Malmstrom AFB, MT, 59402-6863 Alvern Weed, 406-731-4968, [alvern.weed@malmstrom.af.mil](mailto:alvern.weed@malmstrom.af.mil)  
<http://www2.eps.gov/spg/USAF/AFSC/341CONS/FA4626%2D04%2DR%2D0031/listing.html>
- Valley Reservoirs 2004, NDB040052, Valley County, MT, **Bid Due Date: Aug 23, 2004**, Bureau of Land Management, construct 13 stock-water pits and 10 wildlife reservoirs. This project is HubZone Set-Aside, Kevin C. Schreiber 303-236-3514  
[Kevin\\_Schreiber@blm.gov](mailto:Kevin_Schreiber@blm.gov) or <http://www2.eps.gov/spg/DOI/BLM/NCR/NDB040052/listing.html>
- Repair the topside topography at various missile launch facilities, FA4626-04-R-0034, Malmstrom AFB, Great Falls, MT, **Bid Due Date: September 16, 2004**, 406-731-4677, Stacy Bailey

**Other MT Contracting Opportunities - [www.discoveringmontana.com](http://www.discoveringmontana.com)**

Click on **DOING BUSINESS**, click on **STATE BIDS AND PROPOSALS** NOTE: Information changes daily.

Discovering MONTANA the official state website

ABOUT MONTANA TOURISM & RECREATION WORKING & LIVING HERE ONLINE SERVICES **DOING BUSINESS** GOVERNMENT EDUCATION

### State Bids and Proposals

- State Bids and Proposals handled by the State Procurement Bureau
- Vendor Handbook and Registration
- Bids and Proposals handled by other state agencies
  - Montana State University
  - University of Montana

Discovering MONTANA the official state website

About Montana | Tourism & Recreation | Working & Living | Online Services | Doing Business | Government | Education

Privacy & Security Policy | Accessibility | Contact Us | Search

## **MDT CIVIL RIGHTS BUREAU**

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager  
rejohnson@state.mt.us (800) 883-5811

Elaine Arterburn, DBE Supportive Services Assistant  
Manager, ehodgkin@state.mt.us (800) 883-5811

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592  
[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/) and click on  
Civil Rights Bureau

## **Inside this issue:**

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250 copies of this public document were published and distributed at an estimated cost of 87 cents per copy for a total of \$217.5. MDT attempts to provide reasonable accommodations for any known disability that may interfere with a person participating in any service, program or activity of the Department. Alternative accessible formats will be provided upon request.



DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001



STATE DOCUMENTS COLLECTION

AUG 17 2004

MONTANA STATE LIBRARY  
1515 E. 6th AVE.  
HELENA, MONTANA 59620



## Way to Go!

### MCA DBE Liaison Committee Members

Donna Taylor	Oftedal
Marny Harrison	Century
Doug Dahlberg	JTL Missoula
Sue Platis	Highway Specialties
Katie Trotter	Poteet Construction
Wade Sellers	United Rentals-Alpine
Pat Bibeau	PS Contracting
Ted Burch	FHWA

## What's Happening?

- ▶ **No** MDT highway construction bid letting for October. The next Bid letting will be November 4th and will be advertised October 7th.



- ▶ Please be advised that Denver Atkinson has been returned to the position of TERO Director at Ft. Peck.
- ▶ In order to comply with new Montana state web standards, many of the MDT web pages will change effective **Wednesday, September 1, 2004.**

## Upcoming Dates

- ✓ Next Bid Letting—September 30th, Helena
- ✓ October 26, 27 & 28—Highway Contractor Workshop, Polson
- ✓ November 4 & 5, 2004—DBE Conference, Helena
- ✓ November 9, 2004—Government Costs Basis Contracting under FAR 31.2, Billings

## Upcoming Services

- ✓ Are you looking to create a company logo? Contact your DBE Supportive Services for assistance!

STATE DOCUMENTS COLLECTION

SEP 29 2004



The National Center for American Indian Enterprise Development Workshop at Polson, August 18, 2004

"How to Sell to the Government"



3 0864 1003 0544 3

## MONTANA DBE COMPANY MONTHLY UPDATE

### New Certified DBE Companies

Harvey Cole Construction, LLC	Harvey Cole	Polson, MT	Masonry, wall covering, texture & vinyl, texturing, paint contractor.
All Traffic Data Services, Inc.	Dawn Boivin	Arvada, CO	Traffic data collection (machine and manual counts)

### As Read MDT August 19, 2004 Bid Letting Results

Project No.	Prime Contractor	Prime \$	DBE Participation \$ / %	
SFCX-STPHS 56(54) Safety Improvements-Old US 312	Empire Sand & Gravel Company	\$ 3,630,714		
NHTSA 1-2(126)153 Guardrail - West Glacier - SE	Omo Construction, Inc.	\$ 1,702,652		
STPP 60-1(15)12 Culvert-N of White Sulphur Springs	Helena Sand & Gravel	\$ 178,997	\$ 9,577	5.35%

### CONTRACTORS ALERT!

#### Contractors Sold Fake Surety Insurance and Bid Bonds. Cease and Desist Issued. Accused Still At Large

A Cease and Desist order has been issued on a man suspected of participating in a scam that used insurance certificates and fake contractor bonds to win bids of public works projects. The man, Robert Joe Hanson, 46, of Las Vegas Nevada uses the company name Individual Surety, LTD and is not licensed in the State of Montana. Several small contracting companies in Montana have already been victimized by this scam. Cease and Desist orders have also been issued in Nevada, Florida and Georgia against Hanson and Individual Surety, LTD and there is a warrant out for his arrest in California.

Hanson is accused of acting as an insurance producer and selling fraudulent surety insurance, bid and performance bonds to small contractors in Montana. The majority of solicitations were made in the Butte area for construction projects at three locations in the State of Montana. Hanson illegally guaranteed surety bonds for \$185,000, \$13,900 and \$43,000. The construction bids made with these bonds totaled over \$4 million in Montana.

Investigators believe there are more Montana victims. Robert Joe Hanson's last known address was 2867 Destino Lane, Henderson, Nevada and Individual. Surety, LTD was last listed at 6402 McLeod Dr. #5, Las Vegas, Nevada. He has previously done business as Millennium Bonding and Global Bonding and recently has been operating a business called I.S., a Native American Corporation. If you are contacted by any of these entities or think you have been sold fraudulent surety insurance or bid bonds, please contact the Investigations Unit at the State Auditor's Office at 1-800-332-6148.



## DBE COMPANY SPOTLIGHT



Lisa Reed, President of Quality Landscape Seeding, Inc. announces relocation of company.

She writes; "Effective August 20, 2004, Quality Landscape Seeding, Inc. has a new address and phone numbers:

297 Lower Lynch Creek Road  
Plains, MT 59859  
406-826-7300 Phone  
406-826-7301 Fax

Our e-mail address, [seeding@montana.com](mailto:seeding@montana.com) and our website, [www.qualityseeding.com](http://www.qualityseeding.com) will remain the same.

Although our main office is relocating, we will continue to serve all of our commercial and residential customers on projects throughout Montana. It is our intent to maintain our level of service you have come to expect; however if you should have questions or concerns, please do not hesitate to contact us.

Thank you for your business—we couldn't do it without you!

Respectfully,

Lisa M. Read, P.E.

**Montana**  
Economy at a Glance  
May 2004

**Interested in the economy of Montana?**

Check out this website:

<http://rad.dli.state.mt.us/pubs/pdf/eag0604.pdf>

## SUMMARY OF NEW OVERTIME EXEMPTION REQUIREMENTS

On August 23rd, 2004, new federal rules take effect which will result in the most sweeping changes in federal overtime pay rules in more than a quarter century. In addition to complying with the new rule, employers must also comply with State or municipal laws, regulations or ordinances establishing a higher minimum wage or lower maximum workweek than those established under the FLSA. Where Montana and federal rules are now largely the same, the changes will result in employers having to satisfy two different standards – the current Montana laws that will not change and the new federal rules. Simply put, you must satisfy all of the state requirements to be exempt under state law and all the federal requirements to be exempt under federal law. If you omit one or more of the requirements than the position might be exempt under one set of rules but the employee would retain eligibility for exemption under the other rules.

While employers may, on their own initiative or under a collective bargaining agreement, provide a higher wage, shorter workweek, or higher overtime premium than provided under the FLSA. While collective bargaining agreements cannot waive or reduce FLSA protections, nothing in the FLSA or the Part 541 regulation relieves employers from their contractual obligations under such bargaining agreements.

To qualify for exemption, employees generally must meet certain tests regarding their job duties and be paid on a salary basis at not less than \$455 per week (federal). For example in the executive exemption, the new federal rule requires that the person hire and fire. The state's short test rule doesn't require that so the federal rule is more stringent since getting overtime is the higher standard compared to being exempt. Conversely, the state will probably require that 2 employees being supervised work 40 hours per week (or close to it) while the feds might allow fewer work hours where fewer hours to be defined as "full time" is the norm.

In order for an exemption to apply, an employee's specific job duties and salary must meet all the requirements of the Department's regulations.

### EXECUTIVE EXEMPTIONS

To qualify for the executive employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee must customarily and regularly direct the work of at least two or more other full-time employees or their equivalent; and
- The employee must have the authority to hire or fire other employees, or the employee's suggestions and recommendations as to the hiring, firing, advancement, promotion or any other change of status of other employees must be given particular weight.

Continued on page 4



## ADMINISTRATIVE EXEMPTION

To qualify for the administrative employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of office or non-manual work directly related to the management or general business operations of the employer or the employer's customers; and
- The employee's primary duty includes the exercise of discretion and independent judgment with respect to matters of significance.

## PROFESSIONAL EXEMPTION

To qualify for the learned professional employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring advanced knowledge, defined as work which is predominantly intellectual in character and which includes work requiring the consistent exercise of discretion and judgment;
- The advanced knowledge must be in a field of science or learning; and
- the advanced knowledge must be customarily acquired by a prolonged course of specialized intellectual instruction.

## CREATIVE PROFESSIONAL EMPLOYEE EXEMPTION

To qualify for the Creative professional employee exemption, all of the following tests must be met:

- The employee must be compensated on a salary or fee basis (as defined in the regulations) at a rate not less than \$455 per week;
- The employee's primary duty must be the performance of work requiring invention, imagination, originality or talent in a recognized field of artistic or creative endeavor.

## OUTSIDE SALES EXEMPTION

To qualify for the outside sales employee exemption, all of the following tests must be met:

- The employee's primary duty must be making sales (as defined in the FLSA), or obtaining orders or contracts for services or for the use of facilities for which a consideration will be paid by the client or customer; and
- The employee must be customarily and regularly engaged away from the employer's place or places of business.

## NOT EXEMPT

These exemptions do not apply to:

- Manual laborers or other "blue collar" workers who perform work involving repetitive operations with their hands, physical skill and energy such as production, maintenance, construction and similar occupations such as carpenters, electricians, mechanics, plumbers, iron workers, craftsmen, operating engineers, construction workers and laborers no matter how highly paid they might be.
- Police, fire fighters, paramedics, detectives, deputy sheriffs, state troopers, highway patrol officers, investigators, inspectors, correctional officers, parole or probation officers, park rangers, fire fighters, paramedics, emergency medical technicians, ambulance personnel, rescue workers, hazardous materials workers and similar employees, regardless of rank or pay level, who perform work such as preventing, controlling or extinguishing fires of any type; rescuing fire, crime or accident victims; preventing or detecting crimes; conducting investigations or inspections for violations of law; performing surveillance; pursuing, restraining and apprehending suspects; detaining or supervising suspected and convicted criminals, including those on probation or parole; interviewing witnesses; interrogating and fingerprinting suspects; preparing investigative reports; or other similar work.



## MONTANA DIFFERENCES



Montana Employers must be aware of differences between the federal and state rules:

1. Montana does not recognize the computer professional exemption.
2. Montana does not recognize the new "highly compensated employee" exemption.
3. Montana will likely continue to enforce the following current standards:
  - a. Primary duty of 50% or more performance of exempt work. (New Federal rule drops the percentage test)
  - b. Requirement that executives supervise 2 or more 40-hour-per-week employees. New federal rule allows industry custom to define "full-time".
  - c. May not allow deductions for disciplinary suspensions.
4. Outside sales definition will follow federal rule.
5. Effect of violations of salary basis rules may be broader under Montana enforcement. (New federal rules limit disqualification to those supervised by same official in same job title during period of non-compliance.)

Prepared by Jim Nys, Personnel Plus! Consulting Services, Inc. [www.personnel-plus.com](http://www.personnel-plus.com)



# September Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
5	6	7	8	9	10	11
12	13	14 ♦ Assistance for Business Clinic - Lewistown ♦ Forklift Operator Training - Msla ♦ Business Startup- Gt.Falls	15 ♦ Assistance for Business Clinic – GTFalls ♦ Beginning MS Word - Hlna ♦ Violence in the Workplace - Msla ♦ WNET- Kspl	16 ♦ WNET- Msla	17	18
19	20	21 ♦ Workers' Comp. - Msla	22 ♦ Intermediate MS Word - Hlna ♦ BOBR – Hlna ♦ Workers' Comp. – Kspl ♦ Developing an Effective Safety Plan – Bzmn	23 ♦ Growing Your Business – Ronan ♦ Workers' Comp. – GT.Falls ♦ Developing an Effective Safety Plan - Butte	24 ♦ Indoor Air Quality Mold & Other Factors – Msla	25
26	27	28 ♦ Spill Prevention Control – Gt.Falls ♦ Workers' Comp.– Bzm ♦ Developing an Effective Safety Plan - Blgs	29 ♦ Beginning QuickBooks - Hlna ♦ Spill Prevention Control – Blgs ♦ Workers' Comp. – Blgs ♦ Developing an Effective Safety Plan - Butte	30 ♦ Advanced MS Word - Hlna ♦ Spill Prevention Control – Glendive	1	2
3	4	5 ♦ Spill Prevention Control – Butte	6	7 ♦ Harassment & Discrimination Investigation – Blgs ♦ Spill Prevention Control – Msla	8	9

**Montana Community Development Corporation & Small Business Development Center**, is offering training classes entitled "Evaluating a Business Idea" on September 7 from noon to 1 pm, and September 21 from 5:30-6:30 p.m. in their office at 110 E. Broadway, 2<sup>nd</sup> floor in Missoula. In Hamilton, this class will be held on September 2<sup>nd</sup> from 5:30 - 6:30 p.m. at the Bitterroot Public Library, 306 State Street. All classes are \$5 and registration is required. Contact Kaye at 406-728-9234 ext. 200.

The **NxLevel Entrepreneur Course** will begin in Missoula on September 13 and in Hamilton on September 15th. This is a 12 week course focused on advanced business principles and strategies. It is designed for entrepreneurs who wish to start a new venture, overhaul and expand their business, or take their business in a new direction. Call Steve Grover @ 728-9234 ext 206 or Kaye Sloan at ext 200 for details.

The **Dickinson Lifelong Learning Center** offers a 6-week course quarterly entitled "Starting Your Own Business" taught by the Small Business Development Center and SCORE (Service Corp of Retired Executives). It will meet on Tuesdays beginning September 21<sup>st</sup> in Missoula. Call 549-8765 for details and registration.

The SBDC is a funded program of the U.S. Small Business Administration. SBA's funding is not an endorsement of any products, opinions, or services. All SBA funded programs are extended to the public on a nondiscriminatory basis. Reasonable arrangements for persons with disabilities will be made if requested at least two weeks in advance. Contact Steve Grover at (406) 728-9234 ext. 206."

- ♦ **Advanced MS Word**, September 30 – Helena. Cost: \$75. Create tables and mail merges. Contact: Connie Roope [croope@ctibrc.org](mailto:croope@ctibrc.org) or 443-0800. Nancy Clark, Instructor.
- ♦ **Assistance for Business Clinics**, September 14 – Lewistown, September 15 – Great Falls. Cost: \$25 (Lewistown) and \$35 (Great Falls). For employers/business owners with information on employment, tax laws, tax credits. Contact: Janis Duffy – Lewistown at 406-538-8701 and Chamber of Commerce – Great Falls at 406-761-4434.
- ♦ **Beginning MS Word**, September 15 - Helena. Cost: \$75. Learn to edit, save, format, spell/grammar check, etc. Contact: Connie Roope [croope@ctibrc.org](mailto:croope@ctibrc.org) or 443-0800. Nancy Clark, Instructor.
- ♦ **Beginning QuickBooks**, September 29 - Helena. Cost: \$75. Contact: Connie Roope [croope@ctibrc.org](mailto:croope@ctibrc.org) or 443-0800. Anderson ZurMuehlen & Co., CPA's & Business Consultants, Instructor.
- ♦ **BOBR**, September 22 - Helena. Cost: FREE. The Business Over Breakfast Roundtable. Discuss and learn about issues affecting small businesses. Contact: Lorena Carlson at 406-441-1081 or [lorena.Carlson@sba.gov](mailto:lorena.Carlson@sba.gov).
- ♦ **Business Start-Up**, September 14 – Helena. Topics will include: Business idea, Financing Your Business, Developing a Business Plan, Cash Flow, etc. Please call ahead and register. Contact: Suzie David at 406-453-8834 or [suzie@gfddevelopment.org](mailto:suzie@gfddevelopment.org).
- ♦ **Developing an Effective Safety Plan**, September 22 - Bozeman, September 23 – Butte, September 28 – Billings, September 29 – Miles City. Cost FREE. Hands-on workshop that will help you create a valuable complete and concise safety program. Contact: Wayne Dillavou or Rita Naylor at 800-332-6102
- ♦ **Forklift Operator Training**, September 14 – Missoula. Cost: FREE. Course covers the training requirements for operating forklifts in construction and general industry. Contact: Barbara Wagner at 800-929-0996 or [barbara.wagner@libertynorthwest.com](mailto:barbara.wagner@libertynorthwest.com).
- ♦ **Growing Your Business**, September 23 – Ronan. Cost: FREE. Loan programs and lender expectations, business plan prep, marketing to government entities, etc. Contact: Barb Martinez at 406-676-5900 or 5901 or [info@mt-missionmtmrkt.com](mailto:info@mt-missionmtmrkt.com)
- ♦ **Harassment & Discrimination Investigation**, October 7 – Billings. Cost: \$145. Covers Title VII, Harassment and Discrimination Guidelines, etc. Contact: AEM at [www.associatedemployoers.org](http://www.associatedemployoers.org) or 406-248-6178.
- ♦ **Intermediate MS Word**, September 22 - Helena. Cost: \$75. Learn to use symbols, bullets, numbering and sorting, paragraph/line spacing, etc. Contact: Connie Roope [croope@ctibrc.org](mailto:croope@ctibrc.org) or 443-0800. Nancy Clark, Instructor.
- ♦ **Indoor Air Quality – Mold and Other Factors**, September 24 – Missoula. Cost: FREE. Contact: Barbara Wagner at 800-929-0996 or [barbara.wagner@libertynorthwest.com](mailto:barbara.wagner@libertynorthwest.com).
- ♦ **SPCC (Spill Prevention Control & Countermeasure)**, September 28 – Great Falls, September 29 – Billings, September 30 – Glendive, October 5 – Butte, October 7 – Missoula. Cost: \$30 and includes lunch. Contact Donnetta Bohrman at [dbohrman@coe.montant.edu](mailto:dbohrman@coe.montant.edu) or 800-541-6671.
- ♦ **Violence in the Workplace**, September 15 – Missoula. Cost: FREE – Course #123M. Course includes interactive approaches to explore ways to reduce violence in the workplace. Contact: Barbara Wagner at 800-929-0996 or [barbara.wagner@libertynorthwest.com](mailto:barbara.wagner@libertynorthwest.com).
- ♦ **Workers' Compensation**, September 21 – Missoula, September 22 – Kalispell, September 23 – Great Falls, September 28 – Bozeman, September 29 - Billings. Cost: FREE. Missoula Contact: Denise Smith, at 406-758-2803. Kalispell Contact Martha Ripley 406-543-6033 or [mripley@nelsoncompanies.net](mailto:mripley@nelsoncompanies.net)
- ♦ **WNET**, September 15 – Kalispell, September 16 - Missoula. Cost: FREE. WNET – For women who understand the challenges and opportunities facing women entrepreneurs. Contact: Denise Smith at 406-758-2803.



# SMALL BUSINESS ALERT!

Provided by the Deputy Securities Commissioner



Raising money for your business can get you into a sticky legal situation. When you raise money from friends, family members or other individuals to finance an

enterprise, you may be "offering or selling a security" - an action which is governed by Montana Securities laws. These laws require certain disclosure to investors, and may require filing with the Montana Securities Department.

The Montana Securities Department is available to assist small businesses at any point they are interested in raising money. You can reach them toll-free in Montana at 1-800-332-6148.

Call the Department and inquire about how to raise funds for your business in the safest, easiest and LEGAL manner. Securities violations are easy to make and expensive to fix. A short brochure on capital formation is available by calling the Department or checking out our website at [www.sao.state.us](http://www.sao.state.us) and clicking on "securities".



**Certified Payroll Workshop,  
Pablo, MT, August 2004**

## *Quote of the Month*

"Experience is what allows us to recognize a mistake when we repeat it."

— Mark Twain

## — Listen and/or Read — Montana Department of Transportation Commission Meeting Minutes

You can access information about these meetings at MDT's website:

[http://www.mdt.state.mt.us/trans\\_comm/](http://www.mdt.state.mt.us/trans_comm/)

Click on **Meetings** to listen to audio files of the actual meetings or read meeting minutes. Meeting minutes are posted to the website as soon as the minutes are approved by the commission chairman.

You may also view next month's meeting agenda and location information. Contact information for commissioners is also available on this website.

If you have a question regarding commission meetings, please contact Lorelle Demont at 406-444-7200

## DEQ RECEIVES PENALTY PAYMENT FOR WATER QUALITY VIOLATION

### VIOLATION— HELENA

The Montana Department of Environmental Quality (DEQ) has settled its administrative enforcement action against the Montana Department of Transportation (MDT) for violations of the Montana Water Quality Act.

DEQ issued MDT an Administrative Compliance and Penalty Order for failing to follow the conditions of their Construction Storm Water Discharge Permit at the Otter North and South Project on Highway 484 in Powder River County, Montana. Specifically, MDT failed to submit required inspection reports upon request and failed to submit a notice of noncompliance report when sediment from the project discharged into state waters. MDT paid DEQ a \$2,775 penalty and must submit project inspection reports to DEQ on a monthly basis until MDT terminates the permit.



# MDT HIGHWAY CONSTRUCTION PROJECTS

## Invitation for Bids, Letting of September 30, 2004

For the most complete and timely bid information, go to the web site <http://mdt.state.mt.us/cntrct/contract.htm> and click on Invitation for Bids. While the newsletter has notices posted, do not rely on this information alone.

Sealed bids on the following projects will be received by the MDT-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, MT until 9:00 a.m. on September 30, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium. Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau at 406-444-6216, 6212 or 6215, TTY 406-444-7696, Fax 406-444-7236 or go to web site <ftp://ftp.mdt.state.mt.us/contract/orderform.pdf> for order form.

**NH 5-2(119)19 — NO. OF ARLEE – VIC. WHITE COYOTE RD** - Federal Aid Project No. NH 5-2(119)19. Grading, gravel, plant mix surfacing, drainage, wetland restoration, retaining walls and bridge over Jocko River in Lake County. There is a mandatory pre-bid conference on September 15, 2004. DBE contract goal is 0.0%.

**MT 323-1(22)60 — ALZADA NORTH – PHASE 2** - Federal Aid Project No. MT 323-1(22)60 - Gravel surfacing, plant mix bituminous surfacing, seal and cover on 19.28 kilometers of the Alzada – North (Phase II) project in Carter County. DBE contract goal is 0.0%

**SFCS 363-1(7)9 — EAST OF WAGNER – EAST** - State Project No. SFCS 363-1(7)9 - Grade, gravel, plant mix surfacing with seal and cover on the East of Wagner – East project in Phillips County. No DBE Contract Goal.

**NH 1-1(69)32 — SIGNAL UPGRADE – LIBBY** - Federal Aid Project No. NH 1-1(69)32 - Signal Upgrade – Libby in Lincoln County. DBE contract goal is 0.0%.

**STPX-STPS-BR-IM 56(50) — WAGNER PIT WETLANDS** - Federal Aid Project No. STPX-STPS-BR-IM 56(50) – Wetland mitigation on the Wagner Pit Wetlands project in Yellowstone County. DBE contract goal is 0.0%



## MCA DBE Liaison Committee Meeting Highlights



MCA DBE Liaison Committee is comprised of Contractors, Sub Contractors and MDT staff and the Committee's purpose is 1.) Providing a means of improving the relationship between the prime contractor and subcontractor; 2.) Providing valuable input to the DBE Program that will help DBE companies be better prepared for doing business in this industry; 3.) Input from the contractors will provide valuable information to help build a successful DBE program; 4.) Providing an opportunity for prime contractors, subcontractors, and MDT to discuss issues in a conducive environment for solutions.

Topics of discussion on June 24, 2004 and July 22, 2004 were:

### June 24, 2004

- ▶ **DBE Mentor/Protégé Program:** Overall, there seems to be some mixed feelings about a DBE Mentor/Protégé Program with respect to prime contractors training potential competitors. It was suggested that retired contractors be contacted to act as mentors.
- ▶ **Goal Methodology:** The DBE goal for the federal fiscal year 2004 is 6.29% (federal fiscal year is October 1st - September 30th). If the DBE participation is above the yearly goal, there will be no project specific goals. However, MDT strongly encourages prime contractors to still use DBE companies on those projects with no DBE goals. Regardless, the yearly goal still needs to be met. If DBE participation falls below the yearly goal, project-specific DBE goals will be set.

Continued on next page....



## More MT Contracting Opportunities

We try our best to notify you of other bid opportunities but please be aware that we may not be able to always give this information in a timely manner; therefore, listed below is the Website address of these opportunities where you can look for this information at any time on your own. Please note that information on these websites changes daily. You might want to make these sites a 'favorite' on you Internet page.

**Pioneer Mountains Scenic Bypass, PFH 73-1(5)**, Bid Due Date: Dec 1, 2004, Federal Highway Administration. Being considered for a total HubZone small business set-aside. This work consists of 6.88 km of grading, drainage, base, paving, structure, and two bridges. Project is located approximately 60 km northwest of Dillon, Montana. Western Federal Lands Highway Division, Phone (360)619-7520, [contracts@wfl.fha.dot.gov](mailto:contracts@wfl.fha.dot.gov)

<http://www.eps.gov/spg/DOT/FHWA/WFL/DTFH70-04-B-00003/listing.html>

**Work Order 05-01, Water and Sanitary Sewer Replacement/Rehabilitation, City of Billings, Andrew Mattie at 657-8242**. Bid Due Date: October 1, 2004, Engineering services for the Public Works Department/Engineering

<http://ci.billings.mt.us/Online/rfp.php>

**Stansbury Vermiculite Mine Reclamation Project, Department of Environmental Quality**, Bid Due Date: September 17, 2004, IFB 505009, Ravalli County. The work will consist of providing all labor, materials, earthwork and incidentals to regrade, spread soil, and revegetate disturbed areas on a 5.8 acre abandoned vermiculite mine, and to reclaim or water bar approximately 2,000' of road. <http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

**Libby Creek Lower Cleveland Project, IFB05-1004P, MT General Services Division**, Bid Due Date: Sept 10, 2004, Montana Fish, Wildlife and Parks (FWP) for excavation work to be performed on the Libby Creek Lower Cleveland Project. <http://www.discoveringmontana.com/doa/gsd/content/bidsproposals/ifbsrfps/pdfdownloads/IFB05-1004P.doc>

**Aboveground Storage Tanks Removal, 307281, MT Dept of Transportation**, Bid Due Date: September 14, 2004

<http://www.discoveringmontana.com/doa/gsd/osbs/Results.asp?List=All>

### MCA DBE Liaison Committee Meeting Highlights—continued

July 22, 2004

- ▶ **MDT Contract Numbers:** MDT Civil Rights Bureau will be tracking projects using contract numbers and not by project name.
- ▶ **DBE Goal Methodology:** This year's goal methodology will be structured the same as last year's - based on ready, willing and able. The difference this year is data will be actual dollar amounts and not contract amount paid to prime and subcontractors as in the past.
- ▶ **Working with TERO's:** Members of the group shared some of their difficulties working with the TERO's; American Indians working on projects on reservations do not pay state taxes; and Vicky Koch planned to discuss some of the issues/concerns with the tribes at a meeting next month in Baker.
- ▶ **DBE Newsletter:** The Newsletter is viewed as a positive tool of communication and additional copies were requested as some of the companies have outer lying offices they would like to send a copy.

Please contact any committee member or MDT staff with your questions or issues for the committee to address at their monthly meeting. Next meeting is September 30th after the bid letting and the topics are Contractor Insurance and the new DBE goal..

View committee meeting minutes and agenda at: <http://www.mdt.state.mt.us/civilrights/mcadbe.shtml>

## **MDT CIVIL RIGHTS BUREAU**

Vicky Koch, Civil Rights Bureau Chief  
vkoch@state.mt.us (406) 444-6335

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager  
rejohnson@state.mt.us (800) 883-5811

Elaine Arterburn, DBE Supportive Services Assistant  
Manager, ehodgkin@state.mt.us (800) 883-5811

Trudy Eaton, Civil Rights Bureau Administrative Asst.  
trueaton@state.mt.us (406) 444-6331

Jim Phillips, EEO Compliance Specialist  
jamphillips@state.mt.us (406) 444-6045

Bill Anderson, Title 6 Compliance Specialist  
bianderson@state.mt.us (406) 444-6334

Alice Flesch, Acting ADA Coordinator  
aflesch@state.mt.us (406) 444-9229

2701 Prospect Avenue/PO Box 201001, Helena, MT 59620-  
1001, (406) 444-6331, Fax (406) 444-7685 TTY (800) 335-7592  
[www.mdt.state.mt.us/civilrights/](http://www.mdt.state.mt.us/civilrights/) and click on  
Civil Rights Bureau

## **Inside this issue:**

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DBE Supportive Services, Civil Rights Bureau  
Montana Department of Transportation  
PO Box 201001  
Helena, MT 59620-1001

JIM KAMMERER  
MONTANA STATE LIBRARY



## ***Upcoming Dates***

- ✓ **MDT Bid Letting**  
Helena, MT - December 2, 2004
- ✓ **MDT MSU Conference**  
Bozeman, MT - January 3-7, 2005
- ✓ **MDT Construction Permitting 101**  
Helena, MT—January 19, 2005
- ✓ **MDT Erosion Control Introductory**  
Helena, MT - January 20, 2005



Lisa Durbin, MDT Construction Bureau,  
DBE Conference, November 2004, Helena

### **NOVEMBER MDT HIGHWAY BID LETTING**

**JTL Group—Billings**  
13.22% DBE participation  
1st Avenue Main to 12th-Laurel

**Montana Materials dba LS Jensen**  
14.84% DBE participation  
Brooks/South/Russell-Missoula

***Way to Go!*** 

## **Contractor Participation at MDT- Sponsored Events**

Riverside Contracting - "Dwayne Rehbein" and Frontier West - "Mike Murphy" were speakers at the Polson Contractor Workshop sponsored by DBE Supportive Services.

Century Companies, Inc. - "Marny Harrison" - Prime Contractor Role Model Participant in networking class at DBE conference.

The following companies participated in the Networking Session with DBE Companies after the November 4th bid letting:

Sletten Construction - Jim Wickens, Riverside Contracting - Dennis Rehbein,  
EH Oftedal & Sons - Donna Taylor and Tom Evans & Marny Harrison - Century Companies

**THANK YOU**

***FOR STEPPING UP AND SHOWING "GOOD FAITH EFFORTS" TO PARTNER  
WITH MDT TO BUILD AN EFFECTIVE DBE PROGRAM IN MONTANA.***



3 0864 1003 7423 3

## MONTANA DBE COMPANY MONTHLY UPDATE

### Newly Certified DBE Companies

Digital Information Solutions, LLC	Shawn Todd	Summit, MO	Telecommunications, Computer Hardware/Software Reseller
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### Re-Certified DBE Companies

Kirkness Roofing	Roger Cummings	Billings, MT	Roofing and roofing supplies
Lynda Friesz Public Relations	Lynda Friez	Boise, ID	Consulting—Public involvement, transportation issues
Beck Consulting	Barb Beck	Red Lodge MT	Consultant—Management and Communication Training, Public Facilitator
Specialty Sales, Inc.	E.J. Cruickshank	Maple Grove, MN	Supply aggregate material, manufacture diamond blades
Burtch Construction	Janet "Tiny" Burtch	Dixon, MT	Truck Hauling, Road Construction
Omo Construction	Ron Omo	Billings, MT	Guardrail, traffic control, pipe
McDevitt Associates, Inc.	Pamela McDevitt	Billings, MT	Consulting-Environmental Impact statements and assessments, Wetland Mitigation.
Beard Environmental & Technical Assistance	Rebecca Beard	Elliston, MT	Technical report and grant writing public involvement in community development

### Withdrawn From DBE Program

Forest Rehab	Fran Peterson	Libby, MT
KLLyncoln, Inc.	Karen Lyncoln	Roundup, MT

## ANNOUNCEMENTS

An **Orange Sticker** is now on  
MDT Monthly Bid CD mailing



### REMINDER

Use the "Online DBE Quote Request"

It's Quick and Easy, just go to  
[www.mdt.state.mt.us/civilrights/quotereq.shtml](http://www.mdt.state.mt.us/civilrights/quotereq.shtml)

### 2004 DBE BUSINESS OR TRAINING REIMBURSEMENT REQUESTS

Use your reimbursement funds of \$600 now before time runs out. Tell Rebecca now how you want to use the money. You must incur the expense in 2004 to use these funds. **Use it or lose it!** You have until January 31, 2005 to get your paperwork to the DBE Supportive Services office for reimbursement. The form is posted on the program's web site or call 800-883-5811 and we will fax or email you a form.

**GET BUSY AND USE THIS MONEY!!**



## As Read MDT November 4, 2004 Bid Letting Results

Project No.	Prime Contractor	Low Bid	DBE	
			Participation \$ / %	
STPS 324-1(4)13 / SFCS 324-1(2)21 Grant West	Jim Gilman Excavating, Inc.	\$6,382,495	\$241,076	3.78%
CM-STPU 0002(693) / STPP 7-2(39)91 Brooks/South/Russell Intersection Missoula	Montana Materials DBA LS Jensen	\$3,794,004	\$562,975	14.84%
STPHS 205-1(26)26 Safety Improvement West of Bozeman	JTL Group, Inc. - Belgrade	\$ 971,061	\$24,612	2.53%
BR 446-1(3)0 Rosebud Creek	TCA, Inc.	\$ 504,738		
NH 57-5(30)159 Culverts - Mosby East	Sierra Rock & Dirt, Inc.	\$ 469,286		
STPU 1405(3) / STPU 1406(2) Lincoln Avenue - Central to 6th St Sidney	Franz Construction, Inc.	\$ 384,071		
CM 6901(3) / CM 6906(3) 1st Avenue - Main to 12th - Laurel	JTL Group, Inc. - Billings	\$ 256,689	\$33,942	13.22%
CM 7406(5) / CM 7410(2) Chinook to K St. - Livingston	JTL Group, Inc. - Belgrade	\$ 402,320	\$24,068	5.98%
CM 0204(4) 4th - Hickory to RRxing - Anaconda	Hollow Contracting	\$ 326,768	\$25,207	7.71%
CM-STPU 7403(6) 5th & Park - Livingston	Montana Lines, Inc.	\$ 126,408	\$113,748	89.99%
BR 9037(21) Coulee - 3KM SW of Conrad	J and S Construction, Inc.	\$ 187,179		
NH 8-2(64)43 Signal Benton & Lyndale - Helena	Scott Construction, Inc.	\$ 100,000	\$100,000	100%

### CHANGES TO PRIME BIDDING PRACTICES

MDT will no longer be supplying a floppy disk with electronic bid files to prime bidders unless requested with a \$5.00 charge. Primes should use MDT's website to download bid files and get current addenda. Bid files are also available on the monthly bid CD's at no cost. Check the MDT Contract System website at <http://www.mdt.state.mt.us/contract/> for bid files and addenda.

Prime bidders are still responsible to submit a bid floppy disk, so save your bid files to a floppy disk with your company name and call number of the projects on the label. Include the floppy disk with a hard copy of your bid.

Yellow addenda sheets nor the addenda disk will no longer be sent out when an addenda is issued. There is a fee of \$8.00 for a hard copy of addenda. Addenda information is available on the MDT Contract System website at no charge.



# WORKSHOPS



We recently held two workshops and the annual DBE Conference. Summaries of each event is provided. DBE Companies - Please take the time to assess your business needs and let Rebecca or Elaine know what training your company needs or how the program can better serve you. The DBE Supportive Services office listens to you for ideas. Tell us what you need.

**REMEMBER—** this program is YOURS and without YOUR INPUT it will not grow to the potential it can.

## Contractor Workshop—Polson

MDT Supportive Services office (Rebecca Johnson and Elaine Arterburn) along with Confederated Salish & Kootenai Tribal Indian Preference Office (Lissa Peel) presented a workshop to inform local subcontractors of the opportunities on Highway 93 and requirements of highway construction work. The workshop was held in Polson on October 26, 27, 28, 2004.

Participants learned of upcoming projects in that area over the next several years, contractor registration, bonding, insurance, financing, business resource agency introductions, DOT short term loan program, equipment safety inspections, over-size permits, special fuel user permit, DBE certification, MDT bidding process, pre-bid conference, gross receipts tax, projects on Indian reservations, preconstruction meetings, material certifications, EEO submittals, certified payrolls, working on MDT projects, working for prime contractors, and environmental permits. A highway contractor binder was developed for this workshop. Call us if you would like a copy of the binder.

Speakers included: Carol Cunningham, Salish & Kootenai Business Center; Shannon Whiteman, National Center for American Indian Enterprise; Doug Bolender, Montana PTAC; Tim Lightborne and Gary McFerrin, Cogswell Agency; Dean Jones and Mark Cyr, MDT Missoula District; Dwayne Rehbein, Riverside Contracting; Mike Murphy, Frontier West; Rose Leach and Rich Janssen, Salish & Kootenai Environmental Office; Francis Auld, Salish & Kootenai Cultural Resources; Tony Incashella; Joel Clairmont; and Vicky Koch, MDT Civil Rights Bureau.

Francis Auld,  
Salish & Kootenai  
Cultural Resources



Dwayne Rehbein, Riverside, Mike Murphy, Frontier-West,  
Mark Cyr & Dean Jones, MDT Missoula District



Participants working hard at learning certified payrolls



# November Business Training Calendar

Sun	Mon	Tue	Wed	Thu	Fri	Sat
	<b>15</b> ♦	<b>16</b> ♦	<b>17</b> ♦	<b>18</b> ♦ WNET-Bzmn	<b>19</b> ♦	<b>20</b>
<b>21</b>	<b>22</b> ♦	<b>23</b> ♦	<b>24</b> ♦	<b>25</b> ♦	<b>26</b> ♦	<b>27</b>
<b>28</b>	<b>29</b> ♦ Intermediate Excel XP - Msla	<b>30</b> ♦	<b>1</b> ♦	<b>2</b> ♦ Safety Workshops - Kspl	<b>3</b> ♦	<b>4</b>
<b>5</b>	<b>6</b> ♦	<b>7</b> ♦ Safety Workshop - Hlna	<b>8</b> ♦ Series of Topics -Libby	<b>9</b> ♦ Growing Your Business Series-Kspl ♦ Safety Workshop – Gt.Falls	<b>10</b> ♦	<b>11</b>
<b>12</b>	<b>13</b> ♦	<b>14</b> ♦ Finance & Accounting for non-financial mgrs - Blgs ♦ Feasibility-Starting Your Own Business- Gt.Falls	<b>15</b> ♦ Finance & Accounting for non-financial mgrs – Blgs ♦ Business Start-Up 101 - Belgrade	<b>16</b> ♦ WNET - Msla	<b>17</b> ♦	<b>18</b>

**2004**

The Dickinson Lifelong Learning Center offers a 6-week course quarterly entitled "Starting Your Own Business" taught by the Small Business Development Center and SCORE (Service Corp of Retired Executives). It will meet on Tuesdays on an on going in Missoula. Call 549-8765 for details and registration.

The SBDC is a funded program of the U.S. Small Business Administration. SBA's funding is not an endorsement of any products, opinions, or services. All SBA funded programs are extended to the public on a nondiscriminatory basis. Reasonable arrangements for persons with disabilities will be made if requested at least two weeks in advance. Contact Steve Grover at (406) 728-9234 ext. 206."

- **Business Start-Up 101** – December 15, 2004, Belgrade. Cost: FREE. Advance registration is required. Learn these business start-up basics: Feasibility analysis, Business plans, Financing projections, Licensing, Forms of organization, and Sources of financing. Contact: Tracey Jette at 406-587-3113 or [botmlne@bozeman.org](mailto:botmlne@bozeman.org)
- **Finance & Accounting for Non-financial Managers** – December 14-15 – Billings. Cost: \$299. Learn how to understand and apply the principles of finance and accounting. Enroll on-line at [www.skillpath.com](http://www.skillpath.com) or by email at [enroll@skillpath.net](mailto:enroll@skillpath.net) by telephone at 1-800-873-7545.
- **Growing Your Business Series** – December 9, 2004, Kalispell. Cost: FREE but pre-registration is required. Loan Programs and Lender Expectations, business Plan Preparation, Marketing to Government Entities, Personnel Management Assistance and other business services available. Contact: Grace Holm at 406-758-2800 or [grace@kalispellchamber.com](mailto:grace@kalispellchamber.com)
- **Intermediate Excel XP** – November 29, 2004, Missoula. Cost: \$66. A continuation of the Beginning Excel class, this course is designed for those who have a thorough understanding of spreadsheet basics and want to make the software work more efficiently. Contact: Dickinson Lifelong Learning Center at 406-549-8765 or website: [dllc.montana](http://dllc.montana)
- **Safety Workshops** – December 2 – Kalispell, December 7 – Helena, December 9 – Great Falls. Cost: FREE. Supervisors, business owners, managers, safety committee members, workers' compensation personnel, and insurance agents are encouraged to attend. Contact Wayne Dillavou 800-332-6102 ext. 5892 or Rita Naylor ext. 7048. Topics covered:
  - Hazard Assessment and Accident Investigation: You'll learn how to assess the hazards associated with jobs at your business and how to investigate the cause of accidents if one should occur.
  - Avoid On-the-Job Back Injuries: This session will give you the tools you need to be proactive on the front side so your employees avoid ending up out of work on their backsides.
  - Safety and Health Programs - It's Good Business. Safety and Health management is part of doing business not a cost of doing business.
- **Series of Topics** – December 8, 2004 – Libby. Cost: \$10.00 fee. Loan Programs and Lender Expectations, business Plan Preparation, Marketing to Government Entities, Personnel Management Assistance and other business services available. Contact Andrea Wandler at 406-293-2721 ext 235 or [awandler@fvcc.org](mailto:awandler@fvcc.org)
- **The Feasibility of Stating Your Own Business** – December 14, 2004, Great Falls. Cost: FREE. Topics will include: Business Idea, Perseverance and Persistence, Financing Your Business, Developing a Business Plan, Cash Flow, (Bring a calculator) Management Skills, Support Systems for New Business Owners. Please call ahead and register. Contact: Susie David at 406-453-8834 or [suzie@gfdevelopment.org](mailto:suzie@gfdevelopment.org)
- **WNET Roundtable (Women's Networking)**
  - **November 18, 2004 – Bozeman.** Cost: FREE A WNET Roundtable featuring the topic: books that have changed your life of mean a lot to you - Roundtable Discussion. **Contact Phone:** Desiree' at 406-587-3113 or [desiree@bozeman.org](mailto:desiree@bozeman.org)
  - **December 16, 2004, Missoula.** Cost: FREE. Topics for this year are "steps to building your business". Advertising Marketing Tax incentives for businesses. Contact: Martha Ripley at 406-543-6033 or [mripley@nelsoncompanies.net](mailto:mripley@nelsoncompanies.net)



## DBE Conference Highlights

DBE Conference was held on November 4-5 in Helena. The conference gave DBE companies the opportunity to network with each other and discuss ideas. DBE Supportive Services will work hard to implement training suggestions (teaming, conflict management, understanding contract language, negotiating, and personnel management). The office will also work hard to address the issues of participation by prime contractors and engineering firms in the DBE program; and promotion of DBE program (yearly report and DBE company profile summary, and one-line description of program).

Networking and negotiating training was provided by New West Strategies (Rick L'Heureux and Meeta Goel). Know your team's personalities – the inventory helps you understand the different personality dynamics of the team, to turn a diverse group of people into an empowered, smoothly functioning team by knowing your team's personality makeup. Blank inventory forms are available upon request. DBE companies worked together as teams in a networking session to learn the power of networking.

Joe Bower with Business Resource Center provided information on small town marketing. Here is some tips on this subject: Find the friendliest person in town and get to know them. Learn as much as possible about your town. Learn as much as you can about your business, customers, and competitors. Spend 20 minutes a day reading about something in your industry. Customer services starts at the top. "Word of Mouth" can make or break your business. Follow-up on every sale is crucial. You must face customer complaints and deal with them. When you show your customers how much you appreciate them, they will promote your business for you. Joe also provided a Business Plan Outline (available upon request).

MDT Construction Bureau Organizational Chart and Contact List were provided by Lisa Durbin, Construction Administration Services Engineer during her presentation with Bill Fogarty, Butte Construction Reviewer. Lisa thought MDT would perform approximately \$240 million in highway construction this fiscal year. It was stated that the prime contractor is obligated to have a competent supervisor on the project at all times – if not, let MDT know. Tom Martin with MDT Consultant Design talked to the DBE companies about consulting opportunities, selection process, and problems facing small businesses working for MDT.

John Donovan with Headwaters RC&D provided excellent business tools re: cash flow. Each attendee will receive a CD with cash flow, breakeven, 3 year profit, depreciation, amortization, etc. **Some tips from John:** Computerize your business – especially cash flow – it is a great "what if" tool. If your cash flow continues to go down, you have a problem. A cash flow spreadsheet will help you recognize problems early. Cash Flow will also help you determine how much line of credit you will need from the bank. Know when the prime gets paid from the state. Bill for maximum amount of stored materials. Delay cash disbursements – pay only when bill is due. Don't buy equipment you don't need – "Yellow Iron Disease." Keep detailed records – this will equal dollars when you get into a dispute. John provided information sources to use when determining projections.

Bill Phillips with Phillips Environmental inspired the audience with stories about his hard work and commitment to become successful. He was handed lots of barriers to succeed, but believed in his vision for his company and made many sacrifices. He stated you must find your partners and build a team that compliments you and believes in your company. Don't be shy in seeking assistance for your company - talk to everyone about your business. Don't forget to have fun - love what you are doing!



Bill Phillips,  
Phillips Environmental



Marny Harrison,  
Century Companies



Bill Fogarty,  
MDT Butte District

# **MDT HIGHWAY CONSTRUCTION PROJECTS**

## **Invitation for Bids, Letting of December 2, 2004**

Sealed bids on the following projects will be received by the Montana Department of Transportation-Highways Division, Contract Plans Bureau, Room 101, 2701 Prospect, Helena, Montana until 9:00 a.m. on December 2, 2004, the bids being publicly opened and read thereafter at 10:00 a.m. in the Department's auditorium.

Bid proposals, plans, cross-sections, dirt runs & erosion control plans if available, and full instructions to bidders are on file for examination and may be obtained from the Contract Plans Bureau. These documents may be requested by FAX (406)444-7236, (see enclosed order form) by mail or by calling (406) 444-6216, 6212, 6215 or TTY 444-7696 All bid documents are available for downloading and/or printing at no charge at the following web site: <http://www.mdt.state.mt.us/contract/> under the "Letting Info" drop-down and "Bid Packages" link. Additional bid letting information is also available on this web site.

**1. Polson – East Federal Aid Project No. STPP-NH 52-1(20)0**

Grading, gravel, PCCP, plant mix surfacing, lighting, signals, drainage, storm drain and landscaping on 6.2 kilometers on the Polson – East project on US 93 and MT 35, in Lake County. Mandatory Pre-Bid Conference is November 16, 2004. The Disadvantaged Business Enterprises' contract goals are 6.5%.

**2. Safety Improvements – No. of Helena Federal Aid Project No. STPHS 5809(19)**

Plant mix bituminous surfacing, seal and cover, crushed base course, curb and gutter, storm drains, signing and pavement markings, traffic signal and bridge widening over the Helena Valley. The Disadvantaged Business Enterprises' contract goals are 0.0%.

**3. Bridger Creek – 3 km NE of Bozeman Federal Aid Project No. BR 86-1(25)3**

Grade, gravel, plant mix surfacing and construction of a 25-meter concrete slab structure on the Bridger Creek – 3 km Northeast of Bozeman project in Gallatin County. The Disadvantaged Business Enterprises' contract goals are 0.0%.

**4. Main St. Improvements – Laurel Federal Aid Project No. CM-STPU 6904(1)**

Sidewalks, curb and gutter, plant mix bituminous surfacing, drainage, sidewalk or trees and decorative lighting on the Main St. Improvements – Laurel project in Yellowstone County. The Disadvantaged Business Enterprises' contract goals are 0.0%.

**5. Slide Repair – NE of Hilger Federal Aid Project No. STPP 43-1(21)21**

Slope stabilization consisting of trench excavation and stepped slope embankment construction on the Slide Repair – NE of Hilger project in Fergus County. The Disadvantaged Business Enterprises' contract goals are 0.0%.

### *Quote of the Month*

*"If money is your hope for independence you will never have it. The only real security that person will have in this world is a reserve of knowledge, experience and ability."*

*Henry Ford*



## FAR Audit Workshop Highlights

The course covered general accounting requirements and basic accounting concepts for cost basis contracts under FAR 31.2.

Segregation and accumulation of direct and indirect labor costs; Determination of an allowable overhead rate and review of unallowable overhead costs; Accounting requirements for the billing of direct non-salary expenses on government contracts and effects on the overhead rate and was well received by the attendees. The overall consensus was that the attendees gained a better understanding of the FAR regulations, in-depth knowledge and how they apply.

The instructor, Don Strizki, was complimented on his knowledge of FAR's and ability to address the concerns. Tom Erving-IAU and Tim Conway-Consultant Design Bureau (CDB) represented MDT. Tom explained the IAU's role, explained why the audit was needed and what MDT looks at and provided the website locations of MDT's requirements and other resources such as the AASHTO Audit Guide. Tim explained the Consultant Services Procedures (CSP) require a current FAR audited overhead rate.

### Issues:

1. CDB explained the FHWA ceiling is \$100,000, the \$20,000 ceiling is state law. It would require legislation to increase to \$50,000.
2. Concerned about the confidentiality of financial records being disbursed amongst primes—suggested to submit an overhead to MDT and have it approved for all other contracts that firm would be involved in.
3. Question came up on Comp Time for non-government employees. The issue was discussed with the DBE Program Manager-Rebecca Johnson, who will follow up with the answer.
4. Facilities Cost of Capital was briefly discussed as to the allowability and process of how to calculate it.
5. SAS 99 – the requirements to be implemented in 2006 were discussed by Don, who stressed more questions will be asked if management and employees are aware of fraud and questionnaires are asked to be completed. These are questions that have to be asked.

The relationship of the prime consultant and sub consultant was explained. The sub consultant must do all its dealings with prime, because they are contractually obligated to the prime, not the Department. It is up to the prime to get the proper financial information from sub consultant. MDT has an agreement with the prime. The CDB contract needs to be revised to address requirements resulting from revising the Consultant Services Procedures.

Don Strizki, CPA CFE—Presentor - FAR Audit Workshop—Billings



Consultants from Montana, Idaho, Wyoming and Oregon

## MDT Civil Rights Bureau

Leslie Wootan, Acting DBE Program Manager  
lwootan@state.mt.us, (406) 444-6337

Rebecca L. Johnson, DBE Supportive Services Manager  
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Elaine Arterburn, DBE Supportive Services Assistant  
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